

Votes and Proceedings

OF THE

LOWER HOUSE OF ASSEMBLY

OF THE

PROVINCE of MARYLAND.

JUNE SESSION, 1773.

Being the FIRST SESSION of this ASSEMBLY.

AT a Session of Assembly, begun and held at the City of *Annapolis*, on Tuesday the 15th Day of *June*, in the Year of our Lord One Thousand Seven Hundred and Seventy-three, and in the Second Year of the Dominion of the Right Honourable *HENRY HARTFORD*, Esq. absolute Lord and Proprietary of the Province of *Maryland*, (his Excellency *ROBERT EDEN*, Esq; being Governor) the following Delegates appeared in the Lower House of Assembly, viz.

For ST. MARY's County.

Mr. THOMAS BOND,
Mr. RICHARD BARNES,
Mr. PHILIP KEY.

For KENT County.

Mr. WILLIAM RINGGOLD,
Mr. JOHN MAXWELL,
Mr. EMORY SUDLER.

For ANNE-ARUNDEL County.

Mr. BRICE THOMAS BEALE WORTHINGTON,
Mr. THOMAS JOHNSON, jun.
Mr. SAMUEL CHASE,
Mr. JOHN HALL.

For CALVERT County.

Mr. ALEXANDER SOMERVILLE,
Mr. WILLIAM LYLES,
Mr. RICHARD PARRAN.

For CHARLES County.

Mr. JOSIAS HAWKINS.

For DORCHESTER County.

Mr. WILLIAM RICHARDSON.

For BALTIMORE County.

Mr. THOMAS COCKEY DEYE,
Mr. CHARLES RIDGELY.

For PRINCE-GEORGE's County.

Mr. ROBERT TYLER,
Mr. THOMAS CONTEE,
Mr. JOSEPH SIM.

For the City of ANNAPOLIS.

Mr. WILLIAM PACA,
Mr. MATTHIAS HAMMOND.

For TALBOT County.

Mr. MATTHEW TILGHMAN,
Mr. JAMES LLOYD CHAMBERLAINE,
Mr. NICHOLAS THOMAS.

For QUEEN-ANNE's County.

Mr. TURBUTT WRIGHT.

For FREDERICK County.

Mr. THOMAS SPRIGG WOOTTON,
Mr. CHARLES BEATTY,
Mr. JONATHAN HAGAR,
Mr. HENRY GRIFFITH.

A sufficient Number of Delegates to compose a House being convened at the House prepared by Mr. *Joshua Frazier* for the Use of the Publick; Mr. *William Paca*, a Delegate returned for the City of *Annapolis*, and Mr. *Nicholas Thomas*, a Delegate returned for *Talbot County*, attended on his Excellency to acquaint him therewith.

Daniel of St. Thomas Jenifer and *George Plater*, Esqrs. of the Upper House, attended by Dr. *Upton Scott*, Clerk of the Upper House, came into the Lower House, and the aforefaid Delegates took the several Oaths to the Government required by Law, signed the Oath of Abjuration, repeated and signed the Test, in the Presence of the Two Gentlemen of the Upper House.

Daniel of St. Thomas Jenifer and *George Plater*, Esqrs. from the Upper House, acquaint the Members of this House; that the Governor requires the Attendance of the Members of the Lower House immediately in the Upper House.

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The Members of the Lower House went to the Upper House. His Excellency required them to return to the Lower House and choose a Speaker.

They returned, and unanimously made Choice of Mr. *Matthew Tilghman*, a Delegate returned for *Talbot County*, to be their Speaker, and placed him in the Chair.

Mr. *John Hall* and Mr. *Paca* were sent to acquaint his Excellency, that this House hath made choice of a Speaker.

George Steuart and *William Fitzhugh*, Esqrs. from the Upper House, acquaint the Members of this House, that the Governor requires their Attendance in the Upper House to present their Speaker.

The Members of the Lower House went to the Upper House, and presented to the Governor Mr. *Matthew Tilghman* as their Speaker.

His Excellency approved the Choice, and made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

I AM apprehensive that the Meeting of the General Assembly at this Time, may be rather inconvenient to your private Affairs, though after the unusual Length of your Recess occasioned by the Death of our late Lord Proprietary, and the peculiar State of this Province, in Consequence of that Event, you may perhaps deem it expedient to embrace this Opportunity of enacting such Laws, as may promote the general Welfare. I have already communicated (in publishing my Commission and issuing the Writs of Election for this Assembly) the Succession of Mr. *Harford* to the Proprietaryship of this Province; I have the Honour to be continued Governor thereof, with his Majesty's most gracious Approbation of my Conduct heretofore, which I shall be supremely happy in meriting a Continuance of, as well as of the Confidence reposed in me by my Re-appointment; and you may be assured, Gentlemen, that it will ever be, as it always has been, my Wish and Endeavour, to promote the general Good of *Maryland*, in which I am well assured, I shall be assisted by the Concurrence, not only of the new Proprietary, but also of the Guardians of his Minority.

Mr. Speaker and Gentlemen of the Lower House,

If the Inconvenience of this Season be such, as that a Meeting at another, would be more agreeable to you, I will, upon being informed of your Inclinations, prorogue this Assembly to a Time more convenient to your private Affairs; but should you think proper to enter upon, and proceed in, a general Course of Business, I shall with the greatest Pleasure attend the Duties of my Department, and most cheerfully concur with you, Gentlemen of both Houses, in establishing such Acts of Assembly, as may be conducive to the publick Utility.

Mr. Speaker, with the rest of the Members, returned to the Lower House. Mr. Speaker resumed the Chair.

The House proceeded to choose a Clerk, and unanimously made Choice of Mr. *John Duckett* as their Clerk.

ORDERED, That Mr. *Key* and Mr. *Hammond* do acquaint his Excellency, that this House hath made Choice of Mr. *John Duckett* to be their Clerk, and desire his Excellency's Approbation.

They return and acquaint Mr. Speaker they delivered the Message, and that his Excellency signified his Approbation.

ORDERED, That Mr. *Thomas* and Mr. *Turbutt Wright* do go with Mr. *Duckett* to the Upper House, to see him qualified as Clerk of this House.

They return, and acquaint Mr. Speaker, they saw him take the several Oaths to the Government, sign the Oath of Abjuration, repeat and sign the Test, and take the following Oath of Office, viz. "You *John Duckett* do swear, that as Clerk of the Lower House of Assembly, you shall true Entries make, of all such Matters and Things, as by the Honourable Speaker, for the Time being, and that House, shall be to you directed: The Secrets of the said House you shall not divulge, to the Prejudice of the House, or any Member thereof; but shall in all Things, as Clerk to the said House, well and truly demean yourself according to the best of your Knowledge. So help you GOD."

ORDERED, That his Excellency's Speech, a Copy of which having been delivered to Mr. Speaker, be read; and it was read accordingly.

The House being informed that Mr. *Josias Beall*, a Delegate returned for *Prince-George's County*, was attending; ORDERED, That Mr. *Sim* and Mr. *Contee* do go with that Gentleman to the Upper House to see him qualified. They return and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

The House appointed Mr. *Allen Quynn* Serjeant at Arms, and Mr. *Robert Reynolds* Door-Keeper.

ORDERED, That they be qualified.

The House adjourns till To-morrow Morning 9 o'Clock.

W E D N E S D A Y, June 16, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

The House being informed that Mr. *William Ward*, a Delegate returned for *Cecil County*, was attending; ORDERED, That Mr. *Wootton* and Mr. *Thomas* do go with that Gentleman to the Upper House to see him qualified. They return and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

RESOLVED,

RESOLVED, That the Hours for sitting for Dispatch of the publick Business during this Session, be from Nine o'Clock in the Morning until One in the Afternoon, and from Three till Six.

ORDERED, That a Message be prepared to the Upper House, acquainting them therewith.

ORDERED, That the following Rules be observed during this Session:

- I. That no Member of the House use any reviling Speeches, or name any Member by his proper Name, but shall use some other Distinction, as, *The Gentleman who spoke last*, or the like.
- II. That no Member speak above once on any Debate, without License of the House declared by the Speaker; and, if Two Persons or more shall rise up together, the Speaker shall appoint who shall speak first; and no Member shall interrupt any other until the Gentleman speaking hath ended.
- III. That none shall deliver his Opinion, or speak to any Bill or Debate, unless he shall stand up, and reverently direct his Speech to the Speaker.
- IV. That every Bill proposed by the House shall be read Two several Days before it is sent to the Upper House, and once after, before it be engrossed; and that between every Reading One Day shall be intermitted; and that in that Time the Bill shall be laid on the Table for the Perusal of all the Members, unless on very urgent Occasions, Mr. Speaker, with the Consent of the House, shall dispense therewith; and then One Bill, being read Twice at One Sitting, shall be as sufficient as if read several Days, when so entered in the Clerk's Journal.
- V. That no Person come into the House of Assembly, while the same is sitting, with Sword or other Weapon, upon Penalty of such Fine as shall be imposed on them by the Speaker, at the Discretion of the House.
- VI. That if any Member, bound to attend this Assembly, shall be absent at the Hours and Place appointed, after the Speaker and Twelve of the Members are met, according to the Order for sitting, shall be fined according to the Discretion of the Speaker, not exceeding Five Shillings for any Offence, unless upon such Excuse as the Speaker shall admit of.
- VII. All Misdemeanors which shall happen in the House shall be censured or fined in the House.
- VIII. That no Bill shall be read a Second Time during this Session, till all the Members in Town shall be called in, except on some Excuse to be admitted by the Speaker.
- IX. That if any Member of this House do depart, without Leave from the Honourable Speaker and the House, such Member shall forfeit all his preceding Allowances, due to him for his Attendance that Session.

The following Resolves, viz.

RESOLVED BY THE HOUSE, That the Members, who shall be appointed as Members of the Committee of Aggrievances, have likewise the Character of a Committee for Courts of Justice; and that that Character, and the Duty of such Committee, be annexed to the said Committee of Aggrievances, as a standing Part of their Duty: And, that it be an Instruction to the said Committee of Courts of Justice, that they observe the Nature of all the Commissions to the several Courts of Judicature within this Province; and that they especially observe any Alterations that may at any Time happen, by accidental Omision or otherwise therein; and particularly relating to such Words therein, as require the several Judges and Justices to hear, try and determine, according to the Laws, Statutes, Ordinances, and reasonable Customs of *England* and of this Province, or to such other Words as have Relation thereto; and that they shall immediately make Report to the House, of any Alteration that shall at any Time happen in such Commission; and likewise, to have Regard, as near as may be, to observe wherein they differ from the Forms of the several Sorts of Commissions to the Judges and Justices in *England*; and also, to enquire and report, whether it appears that the several Magistrates in this Province have been duly qualified agreeable to Law.

RESOLVED ALSO, that this Province is not under the Circumstances of a conquered Country; that if it were, the present Christian Inhabitants thereof, would be in the Circumstances, not of the Conquered, but of the Conqueror; it being a Colony of the *English* Nation, encouraged by the Crown to transplant themselves hither, for the Sake of improving and enlarging its Dominions; which, by the Blessing of GOD upon their Endeavours, at their own Expence and Labour, has been in a great Measure obtained: And 'tis unanimously RESOLVED, That whoever shall advance, that his Majesty's Subjects, by such their Endeavours and Success, have forfeited any Part of their *English* Liberties, are not Wellwishers to the Country, and mistake its happy Constitution.

RESOLVED ALSO, That if there be any Pretence of Conquest, it can be only supposed against the native *Indian* Infidels; which Supposition cannot be admitted, because the Christian Inhabitants purchased great Part of the Land they at first took up, from the *Indians*, as well as from the Lord Proprietary, and have ever since continued in an amicable Course of Trade with them, except some partial Outrages and Skirmishes, which never amounted to a general War, much less to a general Conquest, the *Indians* yet enjoying their Rights and Privileges of Treaties and Trade with the *English*.

RESOLVED FURTHER, That this Province hath always hitherto had the Common Law, and such general Statutes of *England*, as are securitative of the Rights and Liberties of the Subject, and such Acts of Assembly as were made in the Province to suit its particular Constitution, as the Rule and Standard of its Government and Judicature, such Statutes and Acts of Assembly being subject to the like Rules of Common Law, or equitable Construction, as are used by the Judges in construing Statutes in *England*.

Were read and unanimously approved of.

ORDERED,

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ORDERED, That Mr. Turbutt Wright, Mr. Hammond, Mr. Chase, Mr. J. Hall, and Mr. Johnson, be a Committee of Elections and Privileges. Mr. Beall, Mr. Tyler, Mr. Worthington, Mr. Johnson, Mr. Chamberlaine, Mr. Paca, and Mr. Thomas, a Committee of Grievances and Courts of Justice. Mr. Chamberlaine, Mr. Richardson, Mr. Deye, Mr. Contee, Mr. Sim, and Mr. Barnes, a Committee of Accounts. Mr. Worthington, Mr. Beall, Mr. T. Wright, Mr. Key, Mr. Bond, and Mr. Sudler, a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

ORDERED, That a Message be prepared to the Upper House acquainting them therewith.

ORDERED, That Mr. Tyler, Mr. Thomas, Mr. Hawkins, Mr. Griffith, Mr. Ridgely, Mr. J. Hall, Mr. Ringgold, and Mr. Wootton, be a Committee to inspect into the several publick Offices, and report to the House the State and Condition of them.

The House appoint Mr. Thomas Brooke Hodgkin and Mr. John Courts Jones Committee Clerks, ORDERED, That they be qualified.

The following Message, viz.

By the LOWER HOUSE of ASSEMBLY, June 16, 1773.

May it please your HONOURS,

THIS House hath appointed from Nine o'Clock in the Morning until One in the Afternoon, and from Three till Six, for its sitting every Day during this Session, for the Dispatch of the publick Business.

Signed by Order,

JOHN DUCKETT, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Wootton and Mr. Ringgold.

The House adjourns till 3 o'Clock.

P O S T M E R I D I E M.

The House met, &c.

The House being informed, that Mr. Francis Ware and Mr. Robert Henly Courts, Two Delegates returned for Charles County, and Mr. Thomas White, a Delegate returned for Dorchester County, were attending; ORDERED, That Mr. Richardson and Mr. Hawkins do go with those Gentlemen to the Upper House to see them qualified: They return and acquaint Mr. Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House.

ORDERED, That the Governor's Speech be read a Second Time, and it was read accordingly.

ORDERED, That an Address be prepared in Answer thereto; and that Mr. J. Hall, Mr. Chase, Mr. Paca, Mr. Johnson, Mr. Beall, Mr. Thomas, and Mr. Chamberlaine, do prepare and bring in the same.

The following Message, viz.

By the LOWER HOUSE of ASSEMBLY, June 16, 1773.

May it please your HONOURS,

THIS House hath appointed Messieurs Worthington, Beall, T. Wright, Key, Bond, and Sudler, to join one or more of the Members of your House, as a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

Signed by Order,

JOHN DUCKETT, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Ward and Mr. Griffith.

The following Certificates, viz.

ANNE-ARUNDEL I HEREBY certify, that on the 16th Day of June, 1773, came Allen Quynn County, ss. I before me the Subscriber, one of his Lordship's Justices of the Peace of the said County, and took the several Oaths to the Government required by Law, repeated the Test and subscribed the same, and took the following Oath, viz. "You Allen Quynn do swear, that you will faithfully, diligently and honestly, discharge the Office of Serjeant at Arms to the Lower House of Assembly, and that you shall not disclose or reveal the Secrets thereof. So help you GOD." R. GHISELIN.

ANNE-ARUNDEL I HEREBY certify, that on the 16th Day of June, 1773, came Robert Reynolds County, ss. I holds before me the Subscriber, one of the Justices of the Peace of the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, viz. "You Robert Reynolds do swear, that you will faithfully, diligently and honestly, discharge the Office of Door Keeper to the Lower House of Assembly, and that you will not disclose or reveal the Secrets thereof. So help you GOD." R. GHISELIN.

ANNE-ARUNDEL I HEREBY certify, that on the 16th Day of June, 1773, came Thomas Brooke County, ss. I Brooke Hodgkin before me the Subscriber, one of the Justices of the Peace of the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, viz. "I Thomas Brooke Hodgkin do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk, and that I will not divulge the Secrets of the said House, or of any Committee thereof, but will in

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"in all Things well and truly demean myself according to the best of my Skill and Knowledge. So help me GOD."

R. GHISELIN.

ANNE-ARUNDEL I HEREBY certify, that on the 16th Day of June, 1773, came John Courts County, ff. Jones before me the Subscriber, one of the Justices of the Peace of the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, viz. "I John Courts Jones do swear, that I will true entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk, and that I will not divulge the Secrets of the said House, or of any Committee thereof, but will in all Things well and truly demean myself according to the best of my Skill and Knowledge."

W^m. STEUART.

Were read and ordered to be entered.

The House adjourns till To-morrow Morning 9 o'Clock.

T H U R S D A Y, June 17, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

The House being informed that Mr. Solomon Wright and Mr. John Brown, Two Delegates returned for Queen-Anne's County, were attending; ORDERED, That Mr. Turbutt Wright and Mr. Barnes do go with those Gentlemen to the Upper House to see them qualified. They return and acquaint Mr. Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the following Message.

By the UPPER HOUSE of ASSEMBLY, June 16, 1773.

GENTLEMEN,

THIS House hath appointed Benedict Calvert and Daniel of St. Thomas Jenifer, Esquires, to join the Members, named by your House, in a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

Signed by Order,

U. SCOTT, Cl. Up. Ho.

ORDERED, That the Sheriff of Anne-Arundel County immediately attend at the Bar of this House, and produce to this House the Proclamation issued in the Name of his Excellency the Governor, and published by him as Sheriff of Anne-Arundel County, notifying the Death of the late Lord Proprietor, and for the Dissolution of the late Assembly.

ORDERED, that the Clerk of this House do forthwith deliver to the Serjeant at Arms attending this House a Copy of the above Order.

ORDERED, That the Serjeant at Arms attending this House do forthwith serve the said Sheriff with a Copy of the above Order.

The House being informed that the Sheriff of Anne-Arundel County was attending at the Door; ORDERED, That he be called in, and he appeared accordingly; and at the Bar presented to the House the above-mentioned Proclamation.

The said Sheriff was also ordered to deliver to the House the Proclamation notifying the Re-appointment of Robert Eden, Esq; to the Government of this Province.

ORDERED, That the Clerk of this House do take Copies of the above Proclamations, and make them a Part of these Proceedings. Which he accordingly did, and they follow in these Words, viz.

Maryland ff.

By his EXCELLENCY ROBERT EDEN, Esq; Lieutenant General and chief Governor in and over the Province of Maryland,

A P R O C L A M A T I O N.

ROB: EDEN WHEREAS the Right Honourable Henry Harford, Esq; absolute Lord and Proprietary of the Province of Maryland, by his Commission under his greater Seal at Arms, bearing Date at London the Second Day of March, Anno Domini Seventeen Hundred and Seventy-three, has, with the Approbation of his most sacred Majesty, been pleased to constitute and appoint me, the said Robert Eden, Lieutenant General and Chief Governor of the Province of Maryland; which said Commission was this Day published in the Presence and Hearing of the Members of the Lord Proprietary's Council, and others the King's Subjects and Lord Proprietary's Tenants in this Province, at the City of Annapolis: I have, therefore, by and with the Advice of the Lord Proprietary's Council of State, thought fit to issue this my Proclamation, notifying the same to all Sheriffs, Magistrates, and others the Lord Proprietary's Officers in this Province. And I do further will and direct, that all Officers civil and military, holding their several respective Offices by Virtue of Commissions in the Name of, or under the Authorities and Powers derived from, the late Frederick Lord Baltimore, deceased, renew forthwith such Commissions, under Pain, on Omission thereof, of being removed or discharged, or their respective Commissions being superseded or determined.

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Given

6 VOTES AND PROCEEDINGS, JUNE 1773.

Given at the City of *Annapolis*, this 29th Day of *April*, in the Thirteenth Year of the Reign of our Sovereign Lord *George* the Third, of *Great-Britain*, &c. King, and in the Second Year of the Dominion of the Right Honourable *Henry Harford*, Esq; *Anno Domini* 1773.
Signed by Order, U. SCOTT, Cl. Co^l.

Maryland ff.
By his EXCELLENCY ROBERT EDEN, Esq; Lieutenant General and chief Governor in and over the Province of *Maryland*,

A P R O C L A M A T I O N.

WHEREAS the present General Assembly of this Province stands prorogued to Tuesday the Fifteenth Day of *June* next; and whereas I have received regular Notification of ROBERT EDEN. } the Death of the Right Honourable *Frederick* Lord *Baltimore*, late Lord Proprietary of this Province, whereby the General Assembly thereof becomes dissolved; I have therefore thought fit, with the Advice of the Lord Proprietary's Council of State, to publish the same, and declare the said Assembly to be dissolved. And to the Intent that all Persons concerned may have due Notice thereof, I do hereby strictly charge and require the several Sheriffs of this Province to make this my Proclamation publick in their respective Counties in the usual Manner, as they will answer the Contrary at their Peril.

Given at the City of *Annapolis*, this 29th Day of *April*, in the Second Year of the Dominion of the Right Honourable *Henry Harford*, Esq; *Anno Domini* 1773.
Signed by Order, U. SCOTT, Cl. Co^l.

On Motion, ORDERED, That Mr. *So. Wright*, Mr. *Beall*, and Mr. *Chafe*, be a Committee to enquire what Laws will expire with the Close of this Session, and make Report thereof to the House.

Mr. *Paca* brings in and delivers to Mr. Speaker an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

Mr. *Chafe* brings in and delivers to Mr. Speaker the following ingrossed Address.

To his EXCELLENCY ROBERT EDEN, Esq; Governor and Commander in Chief in and over the Province of *Maryland*,

The humble ADDRESS of the HOUSE of DELEGATES.

May it please your EXCELLENCY,

WE his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of *Maryland* in Assembly convened, return your Excellency our Thanks for your Speech at the opening of this Session.

A Meeting of the General Assembly at this Time is very inconvenient to the private Affairs of many of us, but as your Excellency has thought proper to convene us, the peculiar State of the Province has determined us to proceed to Business. We shall make every Effort in our Power for the enacting such Laws as may promote the general Welfare; and whenever your Excellency is pleased to concur, you will as certainly obtain as merit the Thanks of a grateful People. It gives us a singular Pleasure to be informed, that his Majesty has taken immediate Notice of the Affairs and Government of this Province, and we have the firmest Reliance, that the Conduct of the late Representatives, so generally agreeable to their Constituents, when fully known to the Father of his People, cannot but meet with his royal Approbation.

June 17, 1773.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.
The House adjourns till 3 o'Clock.

P O S T M E R I D I E M.

The House met.

The House being informed that Mr. *John Veazy* and Mr. *Stephen Hyland*, Two Delegates returned for *Cecil* County, were attending; ORDERED, That Mr. *Ward* and Mr. *Maxwell* do go with those Gentlemen to the Upper House to see them qualified. They return and acquaint Mr. Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House.

ORDERED, That Mr. *Contee* and Mr. *Thomas* do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it? They return and acquaint Mr. Speaker, the Governor signified he would receive the Address To-morrow Morning at Eleven o'Clock in the Room next adjoining the Council Chamber.

The House adjourns till To-morrow Morning 9 o'Clock.

FRIDAY,

ROBERT EDEN, Esq; GOVERNOR.

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FRIDAY, June 18, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

The House being informed, that Mr. Robert Buchanan, a Delegate returned for Kent County; Mr. Richard Tilghman Earle, a Delegate returned for Queen-Anne's County, and Mr. William Ennalls and Mr. John Ennalls, Two Delegates returned for Dorchester County, were attending; ORDERED, That Mr. Richardson and Mr. Sudler do go with those Gentlemen to the Upper House to see them qualified. They return and acquaint Mr. Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House.

Mr. Ringgold hath Leave of Absence upon very urgent Business.

ORDERED, That Mr. Earle be added to the Committee of Accounts.

Mr. Speaker communicates to the House a Letter from the Speaker of the House of Burgesses of Virginia, inclosing sundry Resolves entered into by that House respecting the State of the Colony: Also a Letter from the Speaker of the House of Deputies of Rhode-Island, inclosing a Copy of sundry Resolves entered into by that House, similar to those of the House of Burgesses of Virginia: And, a Letter from Payton Randolph, Ro. C. Nicholls, and Charles Dudley Digges, inclosing an Act to prevent counterfeiting the Paper Money of other Colonies. All which were severally read and ordered to lie on the Table.

ORDERED, That Mr. Paca, Mr. Beall, Mr. Chamberlaine, and Mr. Thomas, do present the ingrossed Address to his Excellency. They return and acquaint Mr. Speaker they delivered the Address.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker a Bill, entitled, *An Act concerning Estates-tail, and the Jurisdiction of the County Courts*; thus indorsed: "By the Upper House of Assembly, June 17, 1773: Read the First Time and ordered to lie on the Table.

"Signed by Order,

U. SCOTT, Cl. Up. Ho.

"By the Upper House of Assembly, June 18, 1773: Read the Second Time and will pass.

"Signed by Order,

U. SCOTT, Cl. Up. Ho."

Which Bill was read here the First Time and ordered to lie on the Table.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

His Excellency communicates to Mr. Speaker the following Message.

Mr. Speaker and Gentlemen of the Lower House,

I RETURN you Thanks for your Address, and sincerely hope that the general Welfare may be promoted by prudent and salutary Laws. I am glad, Gentlemen, that his Majesty's immediate Notice of the Affairs and Government of this Province gives you Pleasure; and hope you will be particularly solicitous to merit his gracious Approbation.

Annapolis, 18th June, 1773.

ROB^t. EDEN.

Which was read.

On Motion, the Question was put, that the following Question, viz. That Leave be given to bring in a Bill for amending the staple of Tobacco, and for preventing Frauds in his Majesty's Customs, be now put? Resolved in the Negative.

For the NEGATIVE.

Messrs {	Bond,	Somerville,	Richardson,	Hyland,	Brown,
	Maxwell,	Lyles,	White,	Hammond,	Earle,
	Sudler,	Parran,	W. Ennalls,	Chamberlaine,	Wootton,
	Buchanan,	Hawkins,	J. Ennalls,	Thomas,	Beatty,
	Worthington,	Ware,	Ward,	T. Wright,	Hagar.
	J. Hall,	Courts,	Veazy,	So. Wright,	

For the AFFIRMATIVE.

Mess. {	Barnes,	Chafe,	Beall,	Contee,	Paca,
	Key,	Ridgely,	Tyler,	Sim,	Griffith.
	Johnson,	Deye,			

On Motion, RESOLVED, That this House will, To-morrow Morning, go into a Committee of the whole House, to consider the State of the Clergy in this Province.

The House adjourns till To-morrow Morning 9 o'Clock.

SATURDAY, June 19, 1773.

THE House met. All Members present as on Yesterday except Mr. Ringgold. The Proceedings of Yesterday were read.

The

8 VOTES AND PROCEEDINGS, JUNE 1773.

The House being informed, that Mr. *Walter Tolly*, jun. a Delegates returned for *Baltimore* County, and Mr. *Joseph Gilpin*, a Delegate returned for *Cecil* County, were attending; ORDERED, That Mr. *Ridgely* and Mr. *Ward* do go with those Gentlemen to the Upper House to see them qualified. They return and acquaint Mr. Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House.

Mr. *Ridgely* hath Leave of Absence till Monday Morning 10 o'Clock.

The Order of the Day being read, the House resolved itself into a Committee of the whole House; and after some Time spent therein, Mr. Speaker resumed the Chair; and Mr. *Worthington*, Chairman of the said Committee, made the following Report.

RESOLVED, *nemine contradicente*, That it is the Opinion of this Committee, that an Act, entitled, "An Act for the Establishment of religious Worship in this Province according to the Church of *England*, and for the Maintenance of Ministers," was not enacted by legal and constitutional Authority, and is therefore void.

RESOLVED, *nemine contradicente*, That it is the Opinion of this Committee, that Provision be made for the Support of the Clergy of the Church of *England* in this Province, upon the Principle of Equality, in Imitation of that which has long prevailed in his Majesty's Colony of *Virginia*.

Which was read, and the House concurs therewith.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Establishment of religious Worship in this Province, for the Maintenance of the Clergy, and other Purposes therein mentioned; and that Mr. *J. Hall*, Mr. *Johnson*, Mr. *Chase*, Mr. *Paca*, Mr. *T. Wright*, Mr. *Thomas*, Mr. *Beall*, Mr. *Hammond*, Mr. *So. Wright*, and Mr. *Chamberlaine*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Independency of the Justices, the Enlargement of the County Court Jurisdiction in Cases of Equity, and the Authority of Deputy Commissaries; and that Mr. *Paca*, Mr. *Hammond*, Mr. *Chamberlaine*, Mr. *Beall*, Mr. *Bond*, Mr. *Chase*, and Mr. *Wootton*, do prepare and bring in the same.

The House adjourns till 3 o'Clock.

P O S T M E R I D I E M.

The House met.

The following Estimate, viz.

Dr. The Stadt House Copper Covering in Account with *Charles Wallace* the Undertaker. Cr.

1773	To 21043 square Feet of Copper, at $1\frac{1}{2}$ Lib. per Foot, making 31,565 Libs	1907	1	2 $\frac{1}{2}$	By 10,000 Lib. Lead to cover with Slate, at 10s per Cent.	95	0	0
	Copper, at $1\frac{1}{2}$ Sterling per Pound				By 180 Squares Slate to Cover with, at 20s	180	0	0
	To 10 per Cent. Charges of Importation	190	14	1 $\frac{1}{2}$	By 10 per Cent. Charges of Importation	27	10	0
	To the supposed Difference between laying on the Copper and Slate Roof	100	0	0	By Balance in Case of covering with Copper	1895	5	4
		2197	15	4				
						2197	15	4

Note, That the above Copper is calculated on a Supposition that it may be had from *Bristol*, but if it should not, the *London* Price for Copper of the same Thickness is $1\frac{1}{3}$ per Pound.

having been laid before this House relative to the publick Building, and the House being satisfied that the Slate Cover contracted for would not answer the Purpose intended, the Question was put, Whether 'tis the Opinion of this House the said publick Building be covered with Copper or Shingles? Resolved it be covered with Shingles.

For S H I N G L E S.

Messieurs	Buchanan, Hall, Courts, Ward, Hammond,
	Maxwell, Somerville, Richardson, Veazy, Chamberlaine,
	Sudler, Parran, White, Hyland, T. Wright,
	Worthington, Hawkins, W. Ennalls, Deye, Hagar,
	Chase, Ware, J. Ennalls, Tolly, Griffith.

For C O P P E R.

Mess.	Bond, Johnson, Tyler, Brown, Wootton,
	Barnes, Gilpin, Paca, Earle, Beatty.
	Key, Beall,

The House adjourns till Monday Morning 9 o'Clock.

MONDAY,

MONDAY, June 21, 1773.

THE House met. All Members present as on Saturday. The Proceedings of Saturday were read.

The House being informed that Mr. Samuel Wilson a Delegate returned for Somerset County, Mr. Edward Lloyd, a Delegate returned for Talbot County, Mr. Nehemiah Holland, Mr. John Purnell Robins, and Mr. William Purnell, Three Delegates returned for Worcester County, and Mr. John Weems, a Delegate returned for Calvert County, were attending; ORDERED, That Mr. Earle and Mr. Barnes do go with those Gentlemen to the Upper House to see them qualified. They return and acquaint Mr. Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House.

Mr. Solomon Wright brings in and delivers to Mr. Speaker the following Report, viz.

By the COMMITTEE appointed to enquire what Laws will expire at the Close of this Session, June 19th, 1773.

YOUR Committee find, that the following Acts of Assembly will expire at the Close of this Session, if not continued, viz.

An Act for the Relief of such Persons as cannot find Surety for their Appearance to testify as a Witness against any Person arrested, accused, or presented, for any criminal Matter, passed at June Session, 1752.

An Act to enable the several and respective County Clerks within this Province to remove some of the County Records and Papers from the publick Offices, passed May Session, 1748.

An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders, and a Supplementary Act to an Act, entitled, *An Act to prevent the tumultuous Meeting, and other Irregularities of Negroes and other Slaves, and directing the Manner of trying Slaves*, passed at May Session, 1751.

A Supplementary Act to an Act, entitled, *An Act laying an Imposition on Negroes and several Sorts of Liquors imported, and also on Irish Servants, to prevent the importing too great a Number of Irish Papists into this Province*, passed March Session, 1734.

An Act to make the Testimony of convicted Persons legal against convicted Persons, passed May Session, 1751.

An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy, passed April Session, 1737.

An additional and explanatory Act to the Act, entitled, *An Act empowering the Commissioners of the County Courts to levy and raise Tobacco to defray the necessary Charges of their Counties and Parishes*, passed May Session, 1748.

An Act relating to Guardians and Orphans, passed March Session, 1758.

An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors and running of Horse Races near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concurrence of Negroes and other Slaves during the said Meetings, made at a Session of Assembly, begun and held at the City of Annapolis, the Sixteenth Day of May, One Thousand Seven Hundred and Forty-seven: And also One other Act of Assembly of this Province, entitled, *An Act to amend and explain an Act, entitled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse Races near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concurrence of Negroes and other Slaves during the said Meetings*, passed June Session, 1752.

An Act to exempt Persons appearing at Musters from Arrests in civil Cases, passed at May Session, 1748.

An Act for Punishment of Horse Stealers and other Offenders, passed at May Session, 1744.

An Act for destroying Wolves in Frederick County, passed at May Session, 1751.

And additional Supplementary Act to the Act, entitled, *An Act relating to Servants and Slaves*, passed at May Session, 1748.

An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties to bind out the Persons therein mentioned Apprentices, passed at November Session, 1766.

A Supplementary Act to the Act, entitled, *An Act ascertaining what Damages shall be allowed upon protested Bills of Exchange*, passed at November Session, 1765.

An Act to oblige infected Ships and other Vessels coming into this Province to perform Quarantine, passed November Session, 1766.

An Act for amending and repairing the publick Roads in Baltimore County, passed at November Session, 1766.

An Act for licensing Ordinary Keepers, Hawkers, Pedlers, and petty Chapmen, passed at May Session, 1768.

Signed per Order,

JOHN C. JONES, Cl. Com.

Which was read.

ORDERED, That Mr. Chase, Mr. Beall, and Mr. So. Wright, do prepare and bring in a Bill to continue all the above Laws, except the Act against running Horse Races at Quaker Meetings, &c.

ORDERED, That Mr. Johnson, Mr. J. Hall, Mr. Chamberlaine, Mr. Thomas, and Mr. So. Wright, do prepare and bring in a Bill on the Subject of the above excepted Act.

On Motion, Mr. Wilson is added to the Committee appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

10 VOTES AND PROCEEDINGS, JUNE 1773.

On Motion, ORDERED, That Leave be given to bring in a Bill to prevent the Sale of publick Offices; and that Mr. *J. Hall*, Mr. *Johnson*, Mr. *Thomas*, and Mr. *So. Wright*, do prepare and bring in the same.

On Motion, ORDERED, That the Committee appointed to inspect the publick Offices do enquire what Fees are taken or charged in each Office, and by what Authority they are so taken and charged.

On Motion, ORDERED, That Mr. *Buchanan* be added to the said Committee.

On Motion, ORDERED, That Leave be given to bring in a Bill to regulate attachments; and that Mr. *Johnson*, Mr. *Chase*, Mr. *Wilson*, Mr. *J. Hall*, Mr. *Paca*, Mr. *So. Wright*, and Mr. *Thomas*, do prepare and bring in the same.

On Motion, RESOLVED, That this House will, To-morrow Morning, take into Consideration the State of the Laws passed last Session of Assembly.

The House appoint Mr. *Saint George Peale*, Mr. *Thomas Maddox*, and Mr. *Robert Wright*, Clerks to the several Committees.

ORDERED, That they be qualified.

The House adjourns till 3 o'Clock.

P O S T M E R I D I E M.

The House met. Mr. *Ringgold* appeared in the House.

The Bill, entitled, *An Act concerning Estates-tail and the Jurisdiction of the County Courts*, was read a Second Time, and the Question was put, That Amendments be proposed to the Upper House? Resolved in the Negative.

For the N E G A T I V E.				
Messieurs	Bond,	Somervelle,	Hyland,	Beall,
	Barnes,	Lyles,	Gilpin,	Contee,
	Key,	Parran,	Richardson,	Sim,
	Buchanan,	Weems,	White,	Chamberlaine,
	Ringgold,	Hawkins,	W. Ennalls,	Thomas,
	Maxwell,	Ware,	J. Ennalls,	Lloyd,
	Sudler,	Courts,	Ridgely,	T. Wright,
	Worthington,	Ward,	Deye,	Brown,
	J. Hall,	Veazy,	Tolly,	Griffith.

For the A F F I R M A T I V E.					
Mess. Wilson,	Johnson,	Chase,	Tyler,	Paca,	Hammond,
					So. Wright.

The Bill was then put to its Passage, and the Question was put, That the said Bill do pass? Resolved in the Affirmative.

For the A F F I R M A T I V E.				
Messieurs	Bond,	Somervelle,	J. Ennalls,	Contee,
	Barnes,	Lyles,	Ward,	Sim,
	Key,	Parran,	Veazy,	Paca,
	Buchanan,	Weems,	Hyland,	Hammond,
	Ringgold,	Hawkins,	Gilpin,	Chamberlaine,
	Maxwell,	Ware,	Ridgely,	Thomas,
	Sudler,	Courts,	Deye,	Lloyd,
	Worthington,	Richardson,	Tolly,	T. Wright,
	J. Hall,	White,	Beall,	So. Wright,
	Wilson,	W. Ennalls,	Tyler,	Griffith.

For the N E G A T I V E.
Mr. Johnson.

The said Bill was then indorsed, "Read the Second Time and will pass," and sent to the Upper House by Mr. *Hall* and Mr. *Lloyd*.

On Motion, ORDERED, That Mr. *Lloyd* be added to the Committee appointed to prepare and bring in the Bill for the Establishment of religious Worship in this Province, for the Maintenance of the Clergy, and other Purposes therein mentioned.

The following Certificates, viz.

I HEREBY certify, that on the Twenty-first Day of June, Seventeen Hundred and Seventy-three, came *Saint George Peale* before me the Subscriber, One of the Justices of the Peace for the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, viz. "I Saint George Peale do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk, and that I will not divulge the Secrets of the said House, or of any Committee thereof, but will in all Things well and truly demean myself according to the best of my Skill and Knowledge."

Anne-Arundel County.

R. GHISELIN.
ANNE-

ANNE-ARUNDEL I HEREBY certify, that, on the Twenty-first Day of June, Seventeen Hundred and Seventy-three, came *Thomas Maddox* before me the Subscriber, one of the Justices of the Peace for the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, viz. "I *Thomas Maddox* do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk, and that I will not divulge the Secrets of the said House, or of any Committee thereof, but will in all Things well and truly demean myself according to the best of my Skill and Knowledge."

R. GHISELIN.

ANNE-ARUNDEL I HEREBY certify, that on the Twenty-first Day of June, Seventeen Hundred and Seventy-three, came *Robert Wright* before me the Subscriber, one of the Justices of the Peace for the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, viz. "I *Robert Wright* do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk, and that I will not divulge the Secrets of the said House, nor of any Committee thereof, but will in all Things well and truly demean myself, according to the best of my Skill and Knowledge."

R. GHISELIN.

Were severally read and ordered to be entered.

On Motion, ORDERED, That Leave be given to bring in a Bill for the further Emission of Bills of Credit, and for other Purposes therein mentioned; and that *Mr. Wootton*, *Mr. Paca*, *Mr. Wilson*, *Mr. Johnson*, *Mr. Hall*, and *Mr. Chase*, do prepare and bring in the same.

The House adjourns till To-morrow Morning 9 o'Clock.

T U E S D A Y, June 22, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

On Motion, ORDERED, That the Order of the Day for taking into Consideration the State of the Laws passed last Session of Assembly be read, and the same was read accordingly.

RESOLVED, That this House will now take the same into Consideration.

ORDERED, That an Act of Assembly of this Province, entitled, *An Act for the Continuation of Actions and securing the Peace and good Government of this Province*, made at a Session of Assembly, held the 7th Day of December, 1751, be read; and it was read accordingly.

ORDERED, That the Titles of the several Acts passed last Session of Assembly be read; and they were read accordingly.

On taking the same into Consideration, and it appearing that the late Lord Proprietary died in the Month of September preceding the last Session of Assembly, begun and held the Second Day of October, 1771, whereby the General Assembly of this Province became and was dissolved; it is therefore ORDERED, That a Bill be brought in to aid and make valid in Law the several Acts of Assembly passed last Session of Assembly, except an Act, entitled, *An additional Supplementary Act to the Act, entitled, An Act for the Establishment of religious Worship in this Province according to the Church of England*, and for the Maintenance of Ministers; and, an Act, entitled, *A Supplementary Act to the Act, entitled, An Act for the building a Parish Church in Christ-Church Parish in Calvert County*; and that *Mr. Johnson*, *Mr. Chase*, *Mr. J. Hall*, *Mr. Paca*, and *Mr. Sim*, do prepare and bring in the same.

His Excellency communicates to Mr. Speaker the following Message.

Gentlemen of the Lower House of Assembly,

I HAD the Honour some Time ago of receiving a Letter from his Excellency the Earl of Dunmore, Governor of Virginia, informing me, that, at the last Meeting of the Virginia Assembly, an Act was passed by the Legislature of that Colony, to prevent the counterfeiting the Paper Money of the other Colonies, a Copy of which his Lordship, by Desire of the Virginia Assembly, transmitted to me, requesting me to recommend it to the Assembly of this Province, to pass an Act similar to the same; and as I am persuaded the so doing will greatly contribute to the Security of those Colonies that are under a Necessity of adopting a Paper Currency, I hope you will take the same under your immediate Consideration, and in those Hopes I herewith enclose you a Copy of the abovementioned Act.

22d June, 1773.

ROBT. EDEN.

Which was read and ordered to lie on the Table.

William Hayward, Esq; from the Upper House delivers to Mr. Speaker a Petition of the Trustees for the Poor of Frederick County, praying that an Act may pass to empower the Justices of said County to levy, at next November Court, a Quantity of Tobacco sufficient to produce the Sum of £. 725 : 7 : 9½, it being the Balance due from the said Trustees to several Creditors respecting the Poor house of said County.—A Petition of the Rector and Vestrymen of Christ-Church Parish in Calvert County, praying an Act may pass, empowering the Justices of Calvert County, at their November Court to be held this present Year, to levy and assess, upon the taxable Inhabitants of Christ-Church Parish in the County aforesaid, the Quantity of 22,422 lb Tobacco, to finish building a Church in the said Parish.—A Petition of the Trustees of

12 VOTES AND PROCEEDINGS, JUNE 1773.

of *Anne-Arundel County*.—A Petition for a School at the *Cool Springs*.—A Petition of *Philip Love*, praying a Present may be made him for Services by him done during the last War.—And, a Petition of sundry Inhabitants of *Frederick County*, praying for certain Roads to be made in the said County.—Severally indorsed; “By the Upper House of Assembly, June 22, 1773: Read and referred to the Consideration of the Lower House of Assembly.

“Signed by Order, U. SCOTT, Cl. Up. Ho.”
Which said Petitions were severally read here the first Time and ordered to lie on the Table.
The House adjourns till 3 o’Clock.

P O S T M E R I D I E M.

The House met.

His Excellency communicates to Mr. Speaker the following Message.

Gentlemen of the Lower House of Assembly,

I AM informed, that the Executor of the late Treasurer of the Western Shore hath in his Hands a considerable Sum of Money due to the publick Schools, that many of them are in great Want of their Dividends, and have requested Payment, but that the Executor, though desirous to pay, is advised he cannot do it legally.

A long Delay of Payment may be very injurious to the Schools, and I submit it to you, Gentlemen, to make such legal Provision as may effectually prevent this Inconvenience in future.

22d June, 1773.

ROBT. EDEN.

Which was read and ordered to lie on the Table.

The House being informed that Mr. *William Smallwood*, a Delegate returned for *Charles County*, was attending; ORDERED, That Mr. *Ware* and Mr. *Hawkins* do go with that Gentleman to the Upper House to see him qualified. They return and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

The Petition of *Samuel Litten* and the Petition of *Alexander Cumming*, which stood referred from *October Session, 1771*, to the Second Tuesday in the next Session, were again referred for Consideration To-morrow Morning.

Mr. *Chase* brings in and delivers to Mr Speaker, a Bill, entitled, *An Act for more effectually preventing the buying and selling of Offices*. Which was read the First Time and ordered to lie on the Table.

The House adjourns till To-morrow Morning 9 o’Clock.

W E D N E S D A Y, June 23, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

The House being informed, that Mr. *Peter Chaille*, a Delegate returned for *Worcester County*, and Mr. *Peter Waters*, a Delegate returned for *Somerset County*, were attending; ORDERED, That Mr. *Wilson* and Mr. *Robins* do go with those Gentlemen to the Upper House to see them qualified. They return and acquaint Mr. Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House.

Agreeable to Order of Yesterday, the House took into Consideration the Petition of *Alexander Cumming*, and the Report made thereon, and ordered, that the Sum of Eighty Pounds common Current Money be allowed to the Executors of *Philip Hammond* the Mortgagee, for the Damage done the Houses, &c. mentioned in the said Petition.

ORDERED, That Mr. *Paca*, Mr. *Johnson*, and Mr. *Wilson*, do prepare and bring in a Bill pursuant to the Allowance made by the House on the said Petition.

On the Prayer of *Samuel Litten*, his Petition is withdrawn.

On Motion, ORDERED, That Leave be given to bring in a Bill for amending the Staple of Tobacco, and for preventing Frauds in his Majesty’s Customs; and that Mr. *Wilson*, Mr. *Johnson*, Mr. *Chase*, Mr. *Paca*, Mr. *Beall*, Mr. *Lloyd*, Mr. *Thomas*, Mr. *Sim*, Mr. *Barnes*, Mr. *Smallwood*, and Mr. *Contee*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill for reviving and continuing an Act, entitled, *An Act for amending and repairing the publick Roads in Baltimore County*; and that Mr. *Ridgely*, Mr. *Deye*, and Mr. *Tolly*, do prepare and bring in the same.

William Fitzhugh, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill, entitled, *An Act concerning Estates-tail and the Jurisdiction of the County Courts*; thus indorsed: “By the Upper House of Assembly, June 21, 1773: Read the Third Time and ordered to be ingrossed.”

Also the ingrossed Bill thereof, thus indorsed; “By the Upper House of Assembly, June 23, 1773: Read and assented to.”

“Signed by Order,

U. SCOTT, Cl. Up. Ho.”

Which said ingrossed Bill was read here and assented to.

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker the Petitions of sundry languishing Prisoners in the several County Jails in this Province; thus indorsed; “By the Upper House of Assembly, June 23, 1773: Read the Petitions of the several Prisoners, whereof there is a List within, and referred the same to the Consideration of the

“Lower

"Lower House of Assembly. Signed by Order, U. SCOTT, Cl. Up. Ho." Which were read here the First Time and ordered to lie on the Table.

George Steuart, Esq; from the Upper House, delivers to Mr. Speaker a Petition of Lodowick Davis, of Frederick County, praying Relief in a Deed of Bargain and Sale from the Petitioner to a certain Thomas Davis, thus indorsed; "By the Upper House of Assembly, June 23, 1773: Read and referred to the Consideration of the Lower House of Assembly.

"Signed by Order, U. SCOTT, Cl. Up. Ho." Which was read here the First Time and ordered to lie on the Table. The House adjourns till 3 o'Clock.

P O S T M E R I D I E M.

The House met.

On Motion, ORDERED, That the Petition of Lodowick Davis be read a Second Time, and the same was read accordingly. ORDERED, That the said Petition be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House. And Mr. Griffith, Mr. Beatty, Mr. Wootton, Mr. Hagar, and Mr. Beall, are appointed a Committee accordingly, and they have Power to send for Persons, Papers and Records.

Mr. Paca brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Independency of the Justices, the Enlargement of the County Court Jurisdiction in Cases of Equity, and the Authority of the Deputy Commissaries.* Which was read the First Time and ordered to lie on the Table.

On Motion, ORDERED, That Leave be given to bring in a Bill to ease the People of this Province from trivial Suits in the County Courts; and that Mr. Wootton, Mr. Ridgely, Mr. Deye, Mr. Hagar, Mr. Beatty, Mr. Griffith, Mr. Hammond, Mr. J. Hall, Mr. Gilpin, and Mr. White, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Regulation of Officers Fees; and that Mr. Paca, Mr. Johnson, Mr. W. Ennalls, Mr. Sim, Mr. Smallwood, Mr. Beall, Mr. J. Hall, Mr. Chase, Mr. Lloyd, and Mr. So. Wright, do prepare and bring in the same.

The House adjourns till To-morrow Morning 9 o'Clock.

T H U R S D A Y, June 24, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

Mr. J. Hall brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act for the Establishment of religious Worship in this Province, for the Maintenance of the Clergy, and other Purposes therein mentioned.* Which was read the First Time and ordered to lie on the Table.

The Paper Bill, No. 1. was sent to the Upper House by Mr. W. Ennalls and Mr. Smallwood.

Mr. Beall brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act to continue the Acts of Assembly therein mentioned.* Which was read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. Thomas and Mr. J. Ennalls.

Mr. Tolly brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act reviving and continuing an Act, entitled, An Act for amending and repairing the publick Roads in Baltimore County.* Which was read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. Tolly and Mr. Ridgely.

Mr. Tyler brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE appointed to examine the State and Condition of the several publick Offices.

YOUR Committee have examined the State and Condition of the several publick Offices, and find that the old Record Books in the several Offices remain in the same bad State as has been several Times reported to your Honourable House. Your Committee also find, that since October Session, 1771, the following Record Books are added in the said Offices, viz:

In the L A N D O F F I C E.

- B. C. and G. S. No. 44. containing Patents.
- 45. Certificates;
- 46. Patents:

In the C O M M I S S A R Y ' S O F F I C E.

- W. D. No. 2, 3 and 4. containing Wills.
- W. D. 17, 18, 19 and 20, Inventories.
- W. D. 11. Accounts.
- E. V. 2. Balances:

And that the Proceedings in the said Offices are recorded and examined up to the present Year, except the Judgments in the Provincial Court, which are only entered up to October Term, 1766:

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In

14 VOTES AND PROCEEDINGS, JUNE 1773.

In Obedience to the Order of your Honourable House, your Committee applied to *Reverdy Ghiselin*, Clerk of the Provincial Court, *Elie Vallette*, Register of the Commissary's Office, *James Brooks*, Register in Chancery, and *William Steuart*, Clerk of the Land Office, and requested them to inform your Committee what Fees are taken or charged in the said Offices, and by what Authority they are so taken; to which your Committee obtained Answers in Writing, which are hereto annexed.

All which is submitted to the Consideration of the Honourable House.

Signed by Order,

THO^s. BROOKE HODGKIN, Cl. Com.

To the Gentlemen of the Lower House appointed a Committee to inspect the publick Offices.

GENTLEMEN,

WHILST the late Inspection Law was in Force, the Fees in the Secretary's Office were charged according to the Directions of that Law. Ever since that Law fell, the Lawyers practising in the Provincial Court have ordered Executions comprehending the Costs. By the honourable Judges of the Provincial Court, I was directed to make out the Costs according to the said Rates, and I have been ordered and directed by the Secretary to charge the Fees of the said Office according to the said Rates, with this Difference, that they who make Tobacco and they who do not make Tobacco may choose to pay in Tobacco, or in Money after the Rate of 12/6 per 100 lb Tobacco; and in this Manner the Fees of the Secretary's Office have been charged to the Suitors.

I am, Gentlemen, your most obedient humble servant,

Annapolis, 22d June, 1773.

R. GHISELIN.

GENTLEMEN,

June 22d, 1773.

IN due Compliance with your Directions to me, I beg Leave to inform you, that in Pursuance of the Directions of the Commissary General, I have continued to charge the Fees due to him, since the Expiration of the late Inspection Law, according to the Table of Fees settled by that Law, whilst it remained in Force; with the Alternative to the People, to pay, either in Tobacco, or in Money at Twelve Shillings and Six Pence for every Hundred Pound of Tobacco.

I am, Gentlemen,

To the Honourable the
Committee appointed to in-
spect the publick Offices.

Your most obedient Humble Servant,

ELIE VALLETTE, Register of
the Prerogative Office.

GENTLEMEN,

Annapolis the 22d June, 1773.

WHILST the late Inspection Law was in Force, the Fees in the Chancery Office were charged according to the Directions of that Law; from the Time the said Law expired, the Fees have been charged for each Service according to the Limitation and Allowance of the Rates prescribed by the said Law; with this Difference, that Planters, as well as those who are not Makers of Tobacco, have been, and still are, left to choose, whether they will pay in Tobacco, or in Money after the Rate of 12/6 common Money for One Hundred Pounds of Tobacco, and I have in this Manner charged Fees in the Chancery Office by the Order and Direction of the Secretary.

To the Gentlemen of the Lower
House, appointed a Committee to
inspect the publick Offices.

I am, Gentlemen, very respectfully,

Your most obedient humble Servant,

JAMES BROOKS.

GENTLEMEN,

IN Obedience to your Requisition of Yesterday, I beg Leave to inform you, that I have charged the Fees of the Land Office agreeable to the Regulation of the late Inspection Law, computing the Value of Tobacco at Twelve Shillings and Six Pence common Currency for every Hundred Weight; and this I have done by Order of the Judges.

To the Gentlemen of the Lower
House appointed a Committee to
inspect the publick Offices.

I am, Gentlemen, with Respect,

Your obedient humble Servant,

WILLIAM STEUART, Register.

June 23d, 1773.

Which was read and ordered to lie on the Table.

On Motion, ORDERED, That the Governor's First Message of the 22d June be read; and the same was read accordingly.

ORDERED, That a Bill be brought in to prevent counterfeiting the Paper Money of other Colonies, and that Mr. J. Hall, Mr. Paca, Mr. Key, and Mr. Tolly, do prepare and bring in the same.

On Motion, ORDERED, That the Governor's Second Message of same Date be read; and the same was read accordingly.

On Motion, ORDERED, That Leave be given to bring in a Bill to enable the Representatives of deceased Treasurers to pay over the Balances in their Hands to the succeeding Treasurers; and that Mr. J. Hall, Mr. Thomas, Mr. Contee, Mr. Johnson, and Mr. Richardson, do prepare and bring in the same.

On Motion, ORDERED, That Mr. Paca, Mr. Thomas, and Mr. Wilson, do prepare an Address to his Excellency in Answer to his Two Messages of the 22d Instant.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker sundry Prisoners Petitions, thus indorsed; " By the Upper House of Assembly, June 24, 1773: Read and referred to the
" Consideration

" Consideration of the Lower House of Assembly the Petitions of the following languishing Prisoners, viz. *Wor. County, Ezekiel Hitchins, Moses Magee, John Bowin, Abel Right, Robert Hopkins, Thomas Pierfon, Boston Ale. Talbot, Joseph Floyd. Baltimore, Charles Babbington.*
Signed by Order, U. SCOTT, Cl. Up. Ho."

A Petition of the Rector and Vestrymen, Churchwardens, &c. of *All Saints Parish in Calvert County*, praying an Act may pass, to levy on the taxable Inhabitants of the said Parish, by Three equal Assessments, a Quantity of Tobacco not exceeding Two Hundred Thousand Pounds, together with the Sheriff's Salary for collecting the same, to purchase a Piece of ground adjoining to the present Church-Yard on which to build a Parish Church. — A Petition of *Samuel Litten*, praying Leave to bring in a Bill to remedy the Defect in not recording a Deed from *James Litten*. — And, A Petition of sundry Inhabitants of *Baltimore-Town and Fell's Point*, praying Leave to bring in a Bill to unite *Baltimore-Town and Fell's Point*. — Severally indorsed; " By the Upper House of Assembly, June 24, 1773: Read and referred to the Consideration of the Lower House of Assembly.

" *Signed by Order,*

U. SCOTT, Cl. Up. Ho."

The House adjourns till 3 o'Clock.

P O S T M E R I D I E M.

The House met.

The Petition of sundry Inhabitants of *Baltimore-Town and Fell's Point* was read a First and Second Time, and Leave given to the Petitioners to bring in a Bill pursuant to the Prayer of the said Petition.

The Petition of *Samuel Litten* was read a First and Second Time, and Leave given to the Petitioner to bring in a Bill pursuant to the Prayer of the said Petition.

Mr. *Hagar* and Mr. *White* have Leave of Absence.

The Petition of the Rector and Vestrymen of *All Saints Parish, &c.* was read, and referred to the 8th Day in next Session of Assembly.

The Petition of the Trustees for the Poor of *Frederick County* was read a Second Time and granted, and Leave given to bring in a Bill pursuant to the Prayer of the said Petition.

ORDERED, That Mr. *Wootton*, Mr. *Beatty*, Mr. *Hagar*, and Mr. *Griffith*, do prepare and bring in the same.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to continue the Acts of Assembly therein mentioned*, thus indorsed; " By the Upper House of Assembly, June 24, 1773: Read the First Time and ordered to lie on the Table.

" *Signed by Order,*

U. SCOTT, Cl. Up. Ho."

" By the Upper House of Assembly, June 24, P. M. 1773: Read the Second Time and will pass.

Signed by Order,

U. SCOTT, Cl. Up. Ho."

Which Bill was read here and passed for ingrossing.

The Prisoners Petitions, brought in this Morning by *John Ridout* Esq; were severally read the First Time and ordered to lie on the Table.

Mr. *Chase* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to aid and make valid in Law the several Acts therein mentioned*: Which was read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. *Woods* and Mr. *Turbutt Wright*.

Mr. *Turbutt Wright* hath Leave of Absence till Monday next.

The Petition of the Rector and Vestrymen, &c. of *Christ-Church Parish in Calvert County* was read a Second Time, and referred to the Second Wednesday in next Session of Assembly.

The House adjourns till To-morrow Morning 9 o'Clock.

F R I D A Y, June 25, 1773.

THE House met. All Members present as on Yesterday, except Mr. *Hagar*, Mr. *White*, Mr. *T. Wright*, and Mr. *Buchanan*. The Proceedings of Yesterday were read.

The House being informed that Mr. *Aquila Hall*, a Delegate returned for *Baltimore County*, was attending; ORDERED, That Mr. *Deye* and Mr. *Tolly* do go with that Gentleman to the Upper House to see him qualified. They return and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

William Hayward, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act revising and continuing an Act, entitled, An Act for amending and repairing the publick Roads in Baltimore County*, thus indorsed; " By the Upper House of Assembly, June 24, 1773: Read the First and Second Time by an especial Order, and will pass.

" *Signed by Order,*

U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

Mr. *Griffith* brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE appointed to enquire into and state the Facts set forth in the Petition of *Lodowick Davis* of *Frederick County*.

YOUR Committee, in Obedience to the Order of the Honourable House, have examined into the Facts set forth in the above Petition, and find them true as to the Deed and Release,

lease, from attested Copies thereof; and it also appears by Copy of a Bond produced to your Committee, bearing Date the 30th Day of *October* 1767, in the penal Sum of Two Hundred and Twenty Pounds Currency, conditioned for the said *Lodowick Davis* his making over and conveying unto a certain *Samuel Mount* (of the Colony of *Virginia*, Farmer) his Heirs or Assigns, the said Two Parcels of Land, and the Information of One of your Committee, that the said Lands were sold, and that the Consideration Money was paid to *Thomas Davis*, mentioned in the Petition, by the said *Mount*, and the same Two Parcels of Land now possessed, under, and in Virtue of such Sale, and from Information by some of your Committee, it appears that the said *Thomas Davis* has removed out of this Province, and resides on what is generally called the *Redstone Settlement*. All which is humbly submitted to the Consideration of the honourable House.

Signed by Order, JOHN COURTS JONES, Cl. Com.
Which was read, and Leave given to the Petitioner to bring in a Bill pursuant to the Prayer of his Petition.

On Motion, ORDERED, That Leave be given to bring in a Bill to revive and aid the Proceedings of *Cecil County Court*; and that Mr. *Veazy*, Mr. *Ward*, Mr. *Hyland*, Mr. *Gilpin*, and Mr. *Thomas*, do-prepare and bring in the same.

Mr. *Paca* brings in and delivers to Mr. Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed.

Mr. *Key* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to prevent counterfeiting the Paper Money of other Colonies*. Which was read the First Time and ordered to lie on the Table.

Mr. *Wilson* brings in and delivers to Mr. Speaker the following ingrossed Address, viz.

To his EXCELLENCY ROBERT EDEN, Esquire, Governor and Commander in Chief in and over the Province of *Maryland*.

The humble ADDRESS of the HOUSE of DELEGATES.

May it please your EXCELLENCY,
WE have taken into Consideration the several Matters which your Excellency was pleased to recommend to us in your Messages of the 22d Instant. We agree in Sentiment with your Excellency, that a legal Provision is requisite to prevent the Mischiefs suggested, and have therefore directed Bills to be brought in for that Purpose. — June 25, 1773.

Which was read and assented to, and signed by Order of the House by the honourable Speaker:

ORDERED, That Mr. *Earle* and Mr. *Key* do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it. They return and acquaint Mr. Speaker the Governor signified he would receive the Address immediately in the Council Chamber.

ORDERED, That Mr. *W. Ennalls* and Mr. *Contee* do present the Address to his Excellency. They return and acquaint Mr. Speaker they delivered the Address.

On Motion, ORDERED, That Leave be given to bring in a Bill concerning Provincial grand Jurors; and that Mr. *Wilson*, Mr. *Beall*, and Mr. *Johnson*, do prepare and bring in the same.

Mr. *Wootton* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to ease the People of this Province from trivial Suits in the County Courts*. Which was read the First Time and ordered to lie on the Table:

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to aid and make valid in Law the several Acts therein mentioned*; thus indorsed; "By the Upper House of Assembly, June 24, 1773: Read the First Time and ordered to lie on the Table," Signed by Order, U. SCOTT, Cl. Up. Ho.

"By the Upper House of Assembly, June 25, 1773: Read the Second Time and will not pass," Signed by Order, U. SCOTT, Cl. Up. Ho."

On Progression in reading a Second Time the Bill, entitled, *An Act for the Establishment of religious Worship in this Province, for the Maintenance of the Clergy, and other Purposes therein mentioned*; the Question was put, That the Sum of 32,000 lb of Tobacco, payable at 12s6 per Cent. exclusive of a Glebe, be the annual Sum allowed to each Clergyman in this Province? Resolved in the Affirmative.

For the A F F I R M A T I V E.

Messrs	Ringgold,	Ridgely,	Veazy,	Sim,	Purnell,
	Worthington,	Deye,	Hyland,	Waters,	Chaille,
	J. Hall,	Tolly,	Gilpin,	Earle,	Wootton,
	Lyles,	A. Hall,	Beall,	Holland,	Beatty,
	Weems,	Ward,	Contee,	Robins,	Griffith.
	Courts,				

For the N E G A T I V E.

Messrs	Bond,	Johnson,	Ware,	Paca,	Thomas,
	Barnes,	Chase,	Smallwood,	Hammond,	Lloyd,
	Key,	Somerville,	Richardson,	Wilson,	Brown,
	Maxwell,	Parran,	W. Ennalls,	Chamberlaine,	So. Wright,
	Sudler,	Hawkins,	J. Ennalls,		

The House adjourns till 3 o'Clock.

P O S T

P O S T M E R I D I E M.

The House met.

The Bill, entitled, *An Act for the Establishment of religious Worship, &c.* was read throughout, and the Question was put, that the said Bill do pass? Resolved in the Affirmative.

For the A F F I R M A T I V E.

Messrs	Bond,	Lyles,	A. Hall,	Hammond,	Holland,
	Barnes,	Parran,	Ward,	Wilson,	Robins,
	Key,	Weems,	Veazy,	Waters,	Purnell,
	Ringgold,	Courts,	Hyland,	Chamberlaine,	Chaille,
	Maxwell,	Smallwood,	Beall,	Thomas,	Wootton,
	Worthington,	Richardson,	Tyler,	Brown,	Beatty,
	Johnson,	W. Ennalls,	Contee,	So. Wright,	Griffith.
	J. Hall,	Tolly,	Sim,	Earle,	

For the N E G A T I V E.

Messrs. Sudler, Somervelle, Hawkins, Ware, Ridgely, Deye.

The said Bill was sent to the Upper House by Mr. Hall, Mr. Beall, Mr. Smallwood, Mr. W. Ennalls, and Mr. Chamberlaine.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Vestry and Churchwardens of St. Michael's Parish in Talbot and Queen-Anne's Counties.—A Petition for a Workhouse in St. Mary's County.—And, A Petition of John McClure, John Boyd, Nathaniel Smith, and Robert Henderson, of Baltimore County.—Severally indorsed; “By the Upper House of Assembly, June 25, 1773: Read and referred to the Consideration of the Lower House of Assembly. Signed by Order, U. SCOTT, Cl. Up. Ho.”

Mr. Ward brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to revive and aid the Proceedings of Cecil County Court.* Which was read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. Ward and Mr. Hyland.

On Motion, ORDERED, That Leave be given to bring in a Bill to enable the Undertaker of the building the State-House, to cover the same with Shingles; and that Mr. Johnson, Mr. Paca, and Mr. J. Hall, do prepare and bring in the same.

Mr. Ridgely brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Enlargement of Baltimore-Town.* Which was read the First Time and ordered to lie on the Table.

Mr. Sudler hath Leave of Absence till Monday next.

William Hayward, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Vestrymen and Churchwardens of St. Anne's Parish. Which was read the First Time and ordered to lie on the Table.

Mr. Wilson brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to enable the Commissioners for emitting Bills of Credit, to pay the Executor of Philip Hammond, deceased, the Sum of Money therein mentioned.* Which was read the First Time and ordered to lie on the Table.

The House adjourns till To-morrow Morning 9 o'Clock.

S A T U R D A Y, June 26, 1773.

THE House met. All Members present as on Yesterday except Mr. Sudler and Mr. Lloyd. The Proceedings of Yesterday were read.

Mr. Weems hath Leave of Absence.

On Motion, ORDERED, That no new Business be moved for after twelve o'Clock this Day.

On Motion, ORDERED, That no new Claims be received against the Publick after this Day, and that the Journal of Accounts be closed to this Day.

On Motion, ORDERED, That Leave be given to bring in a Bill to enable the Commissioners for emitting Bills of Credit to provide Stationary for the Use of the Province; and that Mr. Beall, Mr. Paca, and Mr. Earle, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill to continue an Act, entitled, *An Act to continue the Acts therein mentioned, and a Supplementary Act thereto;* and that Mr. Thomas, Mr. Chamberlaine, and Mr. Chase, do prepare and bring in the same.

Mr. Wilson brings in and delivers to Mr. Speaker a Bill concerning Provincial grand Jurors. Which was read the First and Second Time by an especial Order, and will pass.

The Bill, entitled, *An Act for more effectually preventing the buying and selling of Offices,* was read a Second Time, passed, and sent to the Upper House by Mr. Smallwood and Mr. Sim.

Mr. Johnson brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to enable the Undertaker for building the State-House to cover the same with Shingles.* Which was read the First Time and ordered to lie on the Table.

Mr. Hammond brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE of Elections and Privileges, June 22, 1773.

YOUR Committee having inspected the Writs directed to the several Sheriffs for electing Deputies and Delegates to serve in this Assembly, and the Returns of the said Writs, do find,

find, That Mess. *Josias Beall*, *Robert Tyler*, *Joseph Sim*, and *Thomas Contee*, Delegates of *Prince-George's County*, are duly returned.—That Mess. *Alexander Somervell*, *John Weems*, jun. *William Lyles*, and *Richard Parran*, Delegates of *Calvert County*, are duly returned.—That Mess. *William Ennalls*, *John Ennalls*, *Thomas White*, and *William Richardson*, Delegates of *Dorchester County*, are duly returned.—That Mess. *Robert Buchanan*, *William Ringgold*, *John Maxwell*, and *Emory Sudler*, Delegates of *Kent County*, are duly returned.—That Mess. *Solomon Wright*, *Richard Tilghman Earle*, *John Brown*, and *Turbutt Wright*, Delegates of *Queen-Anne's County*, are duly returned.—That Mess. *William Paca*, and *Matthias Hammond*, Delegates of the City of *Annapolis*, are duly returned.—That Mess. *Samuel Chase*, *Thomas Johnson*, jun. *Brice Thomas Beale Worthington*, and *John Hall*, Delegates of *Anne-Arundel County*, are duly returned.—That Mess. *Charles Ridgely*, *Thomas Cockey Deye*, *Aquila Hall*, and *Walter Tolly*, jun. Delegates of *Baltimore County*, are duly returned.—That Mess. *Littleton Dennis*, *Levin Gale*, *Samuel Wilson*, and *Peter Waters*, Delegates of *Somerset County*, are duly returned.—That Mess. *Matthew Tilghman*, *James Lloyd Chamberlaine*, *Nicholas Thomas*, and *Edward Lloyd*, Delegates of *Talbot County*, are duly returned, except an Omission of the Indorsement on the Writ of the Execution thereof.—That Mess. *Peter Chaille*, *William Purnell*, *John Purnell Robins*, and *Nehemiah Holland*, Delegates of *Worcester County*, are duly returned, except an Omission of the Indorsement on the Writ of the Execution thereof.—That Mess. *John Reeder*, *Philip Key*, *Richard Barnes*, and *Thomas Bond*, Delegates of *St. Mary's County*, are duly returned, except an Omission of the Indorsement on the Writ of the Execution thereof.—That Mess. *Francis Ware*, *Robert Henly Courts*, *Josias Hawkins*, and *William Smallwood*, Delegates of *Charles County*, are duly returned, though the Indentures are informal.—That Mess. *John Veazy*, *William Ward*, *Joseph Gilpin*, and *Stephen Hyland*, Delegates of *Cecil County*, are duly returned, except an Omission of the Indorsement on the Writ of the Execution thereof, and that the Indentures are of a very unusual Form.—That Mess. *Thomas Sprigg Wootton*, *Charles Beatty*, *Jonathan Hagar*, and *Henry Griffith*, Delegates of *Frederick County*, are duly returned.

Your Committee beg Leave to report to the honourable House, That *Jonathan Hagar*, a Member returned for *Frederick County*, is not a natural born Subject, nor descended from one, and that the said *Jonathan Hagar* was naturalized agreeable to the Statute 13th *George II*d, and long before the said Election, and is the same Person who was returned a Delegate for *Frederick County* to the late General Assembly, *October Session*, 1771, and by the late Lower House voted and declared to be ineligible for that Cause.

All which is submitted to the Consideration of this honourable House.

Signed by Order,

JOHN COURTS JONES, Cl. Com.

Which was read and the House concurs therewith, except that Part relative to Mr. *Jonathan Hagar*.

ORDERED, That that Part be referred for Consideration on the Third Day of the next Session of Assembly.

ORDERED, That the Clerk of this House do give Mr. *Hagar* Notice thereof.

The ingrossed Bills, No. 2, 3, were sent to the Upper House, with the Paper Bills thereof, by Mr. *Ware* and Mr. *Hyland*.

On Motion, ORDERED, That the Sheriff of *Charles County* do attend at the Bar of this House, on the Fourth Day of next Session, in Order to explain his Return of Delegates for that County, and that the Clerk of this House do give him Notice thereof.

ORDERED, That the Sheriff of *Cecil County* do immediately attend at the Bar of this House, to explain his Return of Delegates for that County, and that he be served with a Copy of this Order by the Serjeant at Arms attending this House. The said Sheriff accordingly appeared, and was directed by the Chair, by Order of the House, to alter his Return so as to make it conformable to the usual Manner of making Returns. Which he accordingly did, and was then discharged upon paying the Fees due to the Officers of this House.

The Bill, entitled, *An Act for the Independency of the Justices, the Enlargement of the County Court Jurisdiction in Cases of Equity, and the Authority of the Deputy Commissioners*; the Bill, entitled, *An Act to enable the Commissioners for emitting Bills of Credit to pay the Executor of Philip Hammond the Sum of Money therein mentioned*; and, the Bill, entitled, *An Act to prevent counterfeiting the Paper Money of other Colonies*; were severally read a Second Time, passed, and sent to the Upper House by Mr. *Paca* and Mr. *Gilpin*.

George Steuart, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Establishment of religious Worship in this Province, for the Maintenance of the Clergy, and other Purposes therein mentioned*, thus indorsed; "By the Upper House of Assembly, June 26, 1773: Read the First Time and will not pass."

"Signed by Order,

U. SCOTT, Cl. Up. Ho."

And the following Message.

By the UPPER HOUSE of ASSEMBLY, June 26, 1773.

GENTLEMEN,

WE think it ought to be adopted "in all well grounded Christian States," as an inviolable Principle, to preserve religiously the publick Faith, and to observe with the utmost Strictness the Duties of Justice, and have therefore returned with our Negative your Bill, to which you have given the Title, "An Act for the Establishment of religious Worship in this Province, for the Maintenance of the Clergy, and other Purposes therein mentioned;" for we are of Opinion that the Act of Assembly, entitled, "An Act for the Establishment of religious Worship in this Province according to the Church of England, and for the Maintenance of Ministers," passed at a Session of Assembly, begun and held at the City of *Annapolis* in this

this Province of *Maryland*, on the Sixteenth Day of *March*, Seventeen Hundred and One-Two, was "enacted by legal and constitutional authority," and therefore is in full Force and Virtue.

If, upon a dispassionate, and mature Consideration, you should not deem it improper at this Time, when Suits are depending on the Validity of the Act of 1701-2, for either or both Houses to publish their Sentiments on the Question, as they may tend to influence the Determinations of the Courts, we shall be ready to enter into a full Discussion of the Subject, on your Communication to us of the Reasons which may have induced you to entertain the Opinion, that the "Act of 1701-2 was not enacted by legal and constitutional Authority, and is therefore void."

We are not only persuaded that the declared Foundation of your Bill is entirely defective, but also that the Provisions of it, aiming to establish an Equality in the respective Incomes of the Ministers, would, if admitted, impose an unequal Tax on the People, and oppressive on such, as reside in some of the smaller Parishes, as well as damp the emulous Exertions of Merit which the Hopes of Preferment are wont to animate.

Signed by Order,

U. SCOTT, Cl. Up. Ho.

Which was read and ordered to lie on the Table.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bills, No. 2, 3, severally indorsed, "By the Upper House of Assembly, June 26, 1773: The ingrossed Bill, whereof this is the original, read and assented to.

Signed by Order,

U. SCOTT, Cl. Up. Ho."

The House adjourns till 3 o'Clock.

P O S T M E R I D I E M.

The House met.

On Progression in reading the Bill to ease the People of this Province from trivial Suits in the County Courts, the Question was put, That the Magistrate who writes and issues a Warrant be paid for his trouble? Resolved in the Affirmative.

For the A F F I R M A T I V E.

Messieurs	Bond,	Lyles,	Ridgely,	Hammond,	Chaille,
	Barnes,	Parran,	Deye,	Waters,	Wootton,
	Worthington,	Ware,	Gilpin,	Holland,	Beatty,
	Chase,	Courts,	Beall,	Purnell,	Griffith.
	J. Hall,	J. Ennalls,			

For the N E G A T I V E.

Messieurs	Key,	Hawkins,	Tolly,	Hyland,	Brown,
	Ringgold,	Smallwood,	A. Hall,	Wilfon,	So. Wright,
	Maxwell,	Richardson,	Ward,	Chamberlaine,	Earle,
	Johnson,	W. Ennalls,	Veazy,	Thomas,	Robins.
	Somervelle,				

The Bill was then read throughout, and the Question was put, That the said Bill do pass? Resolved in the Affirmative.

For the A F F I R M A T I V E..

Messieurs	Bond,	Parran,	Ridgely,	Beall,	Holland,
	Barnes,	Hawkins,	Deye,	Hammond,	Robins,
	Key,	Ware,	Tolly,	Wilfon,	Purnell,
	Maxwell,	Courts,	Aq. Hall,	Waters,	Chaille,
	Worthington,	Smallwood,	Ward,	Chamberlaine,	Wootton,
	J. Hall,	Richardson,	Veazy,	Thomas,	Beatty.
	Somervelle,	W. Ennalls,	Hyland,	Brown,	
	Lyles,	J. Ennalls,	Gilpin,	Earle,	

For the N E G A T I V E.

Messieurs	Ringgold,	Johnson,	Chase,	Paca,	So. Wright.
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William Hayward, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to prevent counterfeiting the Paper Money of other Colonies*; thus indorsed; "By the Upper House of Assembly, June 26, 1773: Read the First Time and ordered to lie on the Table.

Signed by Order,

U. SCOTT, Cl. Up. Ho.

"By the Upper House of Assembly, P. M. June 26, 1773: Read the Second Time and will pass.

Signed by Order,

U. SCOTT, Cl. Up. Ho."

Which Bill was read here, and passed for ingrossing.

The Bill, entitled, *An Act for the enlargement of Baltimore-Town*, was read the First and Second Time, by an especial Order, passed, and sent to the Upper House, with the Bill to ease the People of this Province from trivial Suits in the County Courts, by Mr. *Ridgely* and Mr. *Hammond*.

The House adjourns till Monday Morning 9 o'Clock.

MONDAY,

M O N D A Y, June 28, 1773.

THE House met. All Members present as on Saturday, except Mr. John Ennalls, Mr. Ridgely, Mr. Contee, and Mr. Weems. The Proceedings of Saturday were read. Mr. Turbutt Wright appeared in the House.

The Petitions of sundry languishing Prisoners were read a Second Time and granted.

A Petition of David Aspaugh, a Prisoner in Frederick County Jail, was read; and a Petition of sundry of his Creditors in Baltimore-Town was also read; both which are referred for Consideration on the Second Tuesday in next Session of Assembly.

ORDERED, That the Clerk of this House do give the Parties Notice of the said Reference.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Relief of certain languishing Prisoners in the several Jails therein mentioned; and that Mr. So. Wright, Mr. Johnson, Mr. Tolly, and Mr. Aq. Hall, do prepare and bring in the same.

The Bill, entitled, *An Act to enable the Undertaker for building the State-House to cover the same with Shingles*, was read the Second Time, and will pass.

Mr Thomas brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act to continue the Acts therein mentioned*; which was read the First and Second Time by an especial Order and will pass.

Mr. Earle brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act to enable the Commissioners for emitting Bills of Credit to provide Stationary for the use of the Upper and Lower Houses of Assembly*; which was read the First and Second Time by an especial Order, passed, and sent to the Upper House, with the Two last mentioned Bills, by Mr Hawkins and Mr. Waters.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker, a Bill, entitled, *An Act for the Enlargement of Baltimore-Town*; thus indorsed; "By the Upper House of Assembly, June 26, 1773: Read the First Time and ordered to lie on the Table.

"Signed by Order,

U. SCOTT, Cl. Up. Ho.

"By the Upper House of Assembly, June 28, 1773: Read the Second Time and will pass.

"Signed by Order,

U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

The Petition for a Work-house in St. Mary's County, was read a second Time and referred for Consideration on the Second Monday in next Session.

The following Papers which were referred from last to this Session, were severally read and referred till next Session, viz.

The Petition of St. Paul's Parish in Baltimore County.

The Petition of the Merchants in Bladenburgh.

The Bill, entitled, A supplementary Act to the Act, entitled, *An Act for the more effectual securing of Orphans estates*.

A Bill, entitled, *An Act directing the Manner of punishing Fornication and Adultery before a single Justice of Peace out of Court*.

The Petition of the Vestrymen and Churchwardens of St. Luke's Parish, in Queen-Anne's County, till the Second Wednesday in next Session.

Mr. J. Hall brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act to enable the Representatives of deceased Treasurers, to pay over the Balances in their Hands to the succeeding Treasurers*; which was read the First Time and ordered to lie on the Table.

The Petition of McClure, Smith, Boyd, and Henderson, was read and granted, and Leave given to the Petitioners to bring in a Bill pursuant to the Prayer of the said Petition.

The Petition of the Rector, Vestrymen and Churchwardens of St. Michael's Parish, in Talbot and Queen-Anne's County, was read and referred till next Session of Assembly.

The Petition of the Trustees of Anne-Arundel County was read a Second Time and referred till next Session of Assembly.

George Steuart, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act concerning Provincial grand Jurors*.—The Bill, entitled, *An Act to enable the Undertaker for building the State-House to cover the same with Shingles*; severally indorsed; "By the Upper House of Assembly, June 28, 1773: Read the First Time and will not pass.

"Signed by Order,

U. SCOTT, Cl. Up. Ho."

The Bill, entitled, *An Act to enable the Commissioners for emitting Bills of Credit to provide Stationary for the Use of the Upper and Lower Houses of Assembly*; thus indorsed; "By the Upper House of Assembly, June 28, 1773: Read the First and Second Time by an especial Order and will pass.

Signed by Order,

U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

Also the Bill, entitled, *An Act to continue the Acts therein mentioned*; thus indorsed; "By the Upper House of Assembly, June 28, 1773: Read the First and Second Time by an especial Order, and will pass with the following Amendments, viz. After the Word "Force" in the Twelfth Line, insert the following Words, "For and during the Term of Seven Years, and."

Signed by Order,

U. SCOTT, Cl. Up. Ho."

Which Bill was read here; and the Amendments were also read and agreed to, and the Bill passed for ingrossing.

The House adjourns till 3 o'Clock.

P O S T M E R I D I E M.

The House met. The House being informed that Mr. John Reeder, jun. a Delegate returned for St. Mary's County, was attending; ORDERED, That Mr. Barnes and Mr. Key do go with that

that Gentleman to the Upper House to see him qualified. They return and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

The Bill, entitled, *An Act to aid Defects in a Deed of certain Lands to Lodowick Davis.* And the Bill, entitled, *An Act for the Relief of John M^cLure and others,* were severally read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. Deye and Mr. Griffith.

Mr. Johnson brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act for the better regulating Attachments;* which was read the First Time and ordered to lie on the Table.

Mr. Sudler appeared in the House.

The ingrossed Bills No. 4, 5, 6, 7, were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by Mr. Sudler and Mr. Bond.

Daniel of Saint Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker a Petition of James Hendricks, praying the House to pass an Act to confirm to him a Tract of Land formerly purchased by the Petitioner of a certain Peter Harman, which was not legally conveyed by the said Harman. A Petition of Thomas Harwood, William Reynolds, John Brice, William Farris, and Allen Quynn, on behalf of themselves and others, setting forth, That by an Act of Assembly passed the 16th May 1747, for repealing an Act to enable the Rector, Vestrymen, &c. of St. Anne's Parish in Anne-Arundel County, to lease certain Lots in the City of Annapolis, Power was given to them to lease the Lots in the said City, numbered respectively 59, 60, 61, for any Term not exceeding 63 Years, and after the Expiration of the said Term, to grant new Leases for the Term of 21 Years or Three Lives, to the same Uses and Purposes as in the said recited Act is mentioned; and further, that since the passing the said Act, Leases have been granted for the said Lots of Land for the Term of 63 Years to several Persons; that considerable and valuable Improvements have been made on Part of the said Lots, particularly by the Petitioners, who would build on and improve the Residue, but from Doubts arising whether the original Lessees and Improvers of the said Lots, or such as shall or may claim under them, will be entitled to a Preference when the Time shall arrive for Renewment of the same; that they humbly apprehend it would be agreeable to the Design and Intention of the afore-recited Act, and greatly conduce to the Improvement of the said Lots, as well as be most consistent with Equity, if a Preference were expressly given to the original Lessees and Improvers of the said Lots, and the under Lessees to renew the Leases after the Expiration of the said Term of Sixty-three Years, for the further Term of Twenty-one Years or Three Lives, and in like Manner from Time to Time, and on the same Terms and Conditions as are contained in the above-recited Act, and therefore praying an Act may pass for the Purpose aforesaid.—And, a Petition of Queen Caroline Parish, praying an Act may be passed, empowering the Justices of Anne-Arundel County Court, to levy on the Inhabitants of said Parish, at Three equal annual Assessments, the Sum of Twelve Hundred Pounds common current Money, for the Purpose of building a new Church in the Place where the old one now stands; severally indorsed; “By the Upper House of Assembly, June 28, 1773: Read and referred to the Consideration of the Lower House of Assembly.”

Signed by Order,

U. SCOTT, Cl. Up. Ho.”

Which Petitions were severally read here the First Time and ordered to lie on the Table.

The Petition of the Rector, Vestrymen, and Churchwardens of St. Anne's Parish, was read a Second Time and referred for Consideration next Session of Assembly.

The House adjourns till To-morrow Morning 9 o'Clock.

T U E S D A Y, June 29, 1773.

THE House met. All Members present as on Yesterday, except Mr. W. Enmalls. The Proceedings of Yesterday were read. Mr. Ridgely appeared in the House.

The Petition of James Fitzsimmons—and the Petition of John Curtis, Two Prisoners in Baltimore County Jail, were read and referred till the Second Tuesday in next Session of Assembly.

ORDERED, That the Clerk of this House do give Notice thereof to the Petitioners, and those who have filed counter Petitions.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bills, No. 4, 5, 6, 7, severally indorsed; “By the Upper House of Assembly, June 28, 1773: The ingrossed Bill whereof this is the original read and assented to.

Signed by Order,

U. SCOTT, Cl. Up. Ho.”

The Bill, entitled, *An Act for the Relief of John M^cClure and others;* thus indorsed; “By the Upper House of Assembly, June 28, 1773: Read the First and Second Time by an especial Order and will pass.

Signed by Order,

U. SCOTT, Cl. Up. Ho.”

Which was read here and passed for ingrossing.

The Bill, entitled, *An Act for the Independency of the Justices, the Enlargement of the County Court Jurisdiction in Cases of Equity, and the Authority of the Deputy Commissaries;* thus indorsed; “By the Upper House of Assembly, June 26, 1773: Read the First Time and ordered to lie on the Table.

Signed by Order,

U. SCOTT, Cl. Up. Ho.”

“By the Upper House of Assembly, June 28, 1773: Read the Second Time and will not pass.

Signed by Order,

U. SCOTT, Cl. Up. Ho.”

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And

And the Bill, entitled, *An Act to aid the Proceedings of Cecil County Court*; thus indorsed;
 "By the Upper House of Assembly, June 25, 1773: Read the First Time and ordered to lie
 "on the Table. Signed by Order, U. SCOTT, Cl. Up. Ho.
 "By the Upper House of Assembly, June 28, 1773: Read the Second Time and will pass
 "with the following Amendments, viz. Alter the Preamble so as that it may be in the follow-
 "Words, viz. "Whereas it may be doubted whether the Justices of Cecil County Court did
 "hold their Court on the Second Tuesday of August 1772, as by an Act of Assembly of this
 "Province they are required, by Reason whereof it may be made a Question, whether the
 "Actions in the said Court depending and undetermined were discontinued or not." Leave
 "out the Words "except as herein after excepted" in the Sixth Line of the First enacting
 "Clause; and after the Word "Condition" in the Seventh Line of the same Clause, leave out
 "the rest of the Bill and add the following Words, viz. "to all Intents and Purposes, as if
 "the Justices of the said Court had met and held the said Court as required by the aforesaid
 "Act of Assembly of this Province."

"Signed by Order, U. SCOTT, Cl. Up. Ho."
 Which was read; and the proposed Amendments were read and rejected.

The Petition of *Thomas Harwood, William Reynolds, John Brice, William Faris, and Allen Quynn*, was read a Second Time and granted; and Leave given to the Petitioners to bring in a Bill pursuant to the Prayer of the said Petition.

The Petition of *James Hendricks* was read a Second Time; ORDERED, That the said Petition be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House; and that Mr. Deye, Mr. Ridgely, Mr. Tolly, Mr. Aq. Hall, Mr. J. Hall, and Mr. Hammond, are appointed a Committee accordingly, and they have Power to send for Persons, Papers and Records.

The Bill, entitled, *An Act to explain an Act relating to Leases made by the Rector, Vestrymen and Churchwardens of St. Anne's Parish*, was read a First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. Paca and Mr. Hammond.

Mr. Wootton brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act for the Relief of the Poor in Frederick County*; which was read the First and Second Time by an especial Order, passed, and sent to the Upper House, with the ingrossed Bill for the Relief of *John M'Clure* and others, by Mr. Wootton and Mr. Griffith.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Petitions of sundry languishing Prisoners; thus indorsed; "By the Upper House of Assembly, June 29, 1773: Read the Petitions of *John Ward, Peter Carroll, Patrick Higgins, Charles Stewart, John M'Nabb, Joseph Smith, and Benjamin Wallace*, and referred the same to the Consideration of the Lower House of Assembly. Signed by Order, U. SCOTT, Cl. Up. Ho.

And a Petition of *John Robert Hollyday*, Sheriff of Baltimore County.

Mr. Smallwood brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act for amending the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*.

On Motion, the Question was put, That the said Bill be referred for Consideration to the next Session of Assembly? Resolved in the Negative.

For the N E G A T I V E.				
Messrs	Bond,	Chase,	Ware,	Aq. Hall,
	Barnes,	J. Hall,	Courts,	Beall,
	Key,	Somervelle,	Smallwood,	Tyler,
	Reeder,	Lyles,	Ridgely,	Sim,
	Worthington,	Parran,	Deye,	Hammond,
	Johnson,	Hawkins	Tolly,	Wilson,

For the A F F I R M A T I V E.				
Messrs	Ringgold,	Richardson,	Hyland,	Brown,
	Maxwell,	Ward,	Gilpin,	T. Wright,
	Sudler,	Veazy,	Thomas,	So. Wright,

The said Bill was then read the First Time and ordered to lie on the Table.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entitled, *An Act for the Relief of the Poor in Frederick County*.—The Bill, entitled, *An Act to explain an Act relating to Leases made by the Rector, Vestrymen and Churchwardens of St. Anne's Parish*; severally indorsed; "By the Upper House of Assembly, June 29, 1773: Read the First and Second Time by an especial Order and will pass.

"Signed by Order, U. SCOTT, Cl. Up. Ho."

Which were read here, and passed for ingrossing.

The Paper Bill, entitled, *An Act for the Relief of John M'Clure and others*; thus indorsed; "By the Upper House of Assembly, June 29, 1773: The ingrossed Bill, whereof this is the original, read and assented to. Signed by Order, U. SCOTT, Cl. Up. Ho."

And, the Bill, entitled, *An Act to enable the Commissioners for emitting Bills of Credit, to pay the Executor of Philip Hammond, deceased, the Sum of Money therein mentioned*; thus indorsed; "By the Upper House of Assembly, June 26, 1773: Read the First Time and ordered to lie on the Table. Signed by Order, U. SCOTT, Cl. Up. Ho."

"By the Upper House of Assembly, June 29, 1773: Read the Second Time and will not pass. Signed by Order, U. SCOTT, Cl. Up. Ho."

The House adjourns till 3 o'Clock. P O S T

P O S T M E R I D I E M.

The House met.——Mr. Solomon Wright brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act for the Relief of certain Prisoners in the several Jails therein mentioned*; which was read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. Key and Mr. Waters.

Mr. Chamberlaine hath Leave of Absence.

The Bill, entitled, *An Act for the better regulating Attachments*, was read a Second Time and will pass.

The House adjourns till To-morrow Morning 8 o'Clock.

W E D N E S D A Y, June 30, 1773.

THE House met. All Members present as on Yesterday, except Mr. Chamberlaine and Mr. Brown. The Proceedings of Yesterday were read.

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker a Petition of Reuben Merriweather and William Bernard. Which was read and referred to the Consideration of a Committee.

ORDERED, That they do examine the Matter thereof, and report the same, as it shall appear to them to the House; and Mr. Paca, Mr. Hall, and Mr. Hammond, are appointed a Committee accordingly; and they have Power to send for Persons, Papers and Records.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry the Inhabitants living on and near the Head of St. Clement's Bay, in St. Mary's County. Which was read and ordered to lie on the Table.

Mr. Robert Wright, one of the Committee Clerks, is discharged from any further Attendance this Session.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Relief of certain Prisoners in the several Jails therein mentioned*, thus indorsed; "By the Upper House of Assembly, June 29, 1773: Read the First Time and ordered to lie on the Table." Signed by Order, U. SCOTT, Cl. Up. Ho.

"By the Upper House of Assembly, June 30, 1773: Read the Second Time and will pass with the following Amendments, viz. Leave out the Names of Francis Miller, Thomas Coffey, and Matthew Coffey. After the Word "Prison" in the 10th Line of the 8th Page, insert the following Words, viz. "And every other of the Persons aforesaid who have or hath intermarried since his or their Commitment to Prison." Leave out the Word "Five" in the 16th Line of the same Page, and insert in the Room thereof the Word "Ten."

"Signed by Order,

U. SCOTT, Cl. Up. Ho."

Which Bill was here read, and the Amendments were read and agreed to, and the Bill passed for ingrossing.

The Bill, entitled, *An Act to ease the People of this Province from trivial Suits in the County Courts*, thus indorsed; "By the Upper House of Assembly June 26, 1773: Read the First Time and ordered to lie on the Table." Signed by Order, U. SCOTT, Cl. Up. Ho.

"By the Upper House of Assembly, June 30, 1773: Read the Second Time and will pass with the Amendments annexed." Signed by Order, U. SCOTT, Cl. Up. Ho.

"Leave out from the Word "Prosecution" in the Fourth Line of the First Page, to the Words "And whereas" in the 8th Line of the same Page.—In the last, and Second and Third Lines from the Bottom of the First Page, instead of "Thirty-three Shillings and Four Pence Current Money of Maryland, or Four Hundred Pounds of Tobacco," insert, "Three Pounds Fifteen Shillings Sterling, Five Pounds Current Money of Maryland, or One Thousand Pounds of Tobacco."—Leave out from the word "notwithstanding," in the 5th Line of the 3d Page, to the word "provided," in the 11th Line of the 4th Page.—Instead of the Words "Thirty-three Shillings and Four-pence Current Money, or Four Hundred Pounds of Tobacco," in the Thirteenth Line of the Fourth Page, insert, "Thirty Shillings Sterling, Forty Shillings Current Money of Maryland, or Four Hundred Pounds of Tobacco," and leave the Words "And no Arbitrators have been called in" out of the Fourteenth Line of the same Page.—Instead of "Two," in the Fifth Line from the Bottom of the 5th Page, insert "Four."—Instead of the Words, "Six Pounds Current Money of Maryland, or Fourteen Hundred and Forty Pounds," in the Two last Lines of the Fifth Page, insert the Words "Three Pounds Fifteen Shillings Sterling, Five Pounds Current Money of Maryland, or One Thousand Pounds."—In the 4th and 5th Lines of the 8th Page, instead of the Words "And wrote the Sum of Six Pence," insert "Two Shillings."—Leave out from the Word "Money," in the Ninth Line of the Eighth Page, to the Word "And," in the Tenth Line of the same Page, and instead of "Six Pence," in the same Line, insert "One Shilling."—Instead of the Words "Thirty-three Shillings and Four Pence," in the Fourteenth Line of the 8th Page, insert "Thirty Shillings Sterling, Forty Shillings," and make a similar Alteration in the 2d and 3d Lines from the Bottom of the 8th Page.—After the Word "Notwithstanding," in the 9th Line of the 9th Page, insert, "for taking which Bond and granting Superfedeas the Justice shall be allowed Two Shillings Current Money of Maryland."

Which Bill was read here, and the proposed Amendments were read; the First of which

was rejected.—Upon reading the Second, the Question was put, That the Words “*Thirty-three Shillings and Four Pence Current Money of Maryland, or Four Hundred Pounds of Tobacco,*” be left out of the Bill, and the Words “*Three Pounds Fifteen Shillings Sterling, Five Pounds Current Money of Maryland, or One Thousand Pounds of Tobacco,*” be inserted in the Stead thereof? Resolved in the Affirmative.—The Third, Fourth, and Fifth Amendments were rejected.—The Sixth agreed to.—The Seventh and Eighth rejected.—On reading the Ninth, the Question was put, That the Words “*Thirty-three Shillings and Four Pence,*” in the Fourteenth Line of the Eighth Page, be left out, and the Words “*Thirty Shillings Sterling, Forty Shillings,*” be inserted in the Stead thereof? Resolved in the Affirmative.

For the A F F I R M A T I V E.

Messrs	{	Bond,	J. Hall,	Ridgely,	Hyland,	Holland,
		Key,	Somervelle,	Deye,	Gilpin,	Robins,
		Reeder,	Lyles,	Tolly,	T. Wright,	Purnell,
		Sudler,	Parran,	Ward,	So. Wright,	Chaille,
		Worthington,	Richardson,	Veazy,		

For the N E G A T I V E.

Messrs	{	Barries,	Ware,	Beall,	Hammond,	Earle,
		Johnson,	Courts,	Tyler,	Wilfon,	Wootton,
		Chase,	Smallwood,	Sim,	Waters,	Beatty,
		Hawkins,	A. Hall,	Paca,	Thonas,	Griffith.

The 10th Amendment was rejected.

Mr. *Hammond* brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE appointed to examine into the Facts set forth in the Petition of *Reuben Merriweather* and *William Bernard*, and report the same to the House.

YOUR Committee, in Pursuance of the Order of the House, proceeded to examine into the Facts contained in said Petition, and do humbly report to the House as follows:

That it appears that *John Morton Jordan*, deceased, did contract with *Daniel Wolstenholme* for the Purchase of sundry Lots and Houses in the City of *Annapolis*, and by his last Will and Testament, bearing Date the 6th Day of *June*, 1771, amongst other Things, devised the Lots of Ground and Houses aforesaid to his Wife, for the Term of Three Years to be computed from his Death, provided she continued to reside in this Province, and at the Expiration of the said Three Years, or sooner if his Wife should leave the Province, directed his Executors to sell and dispose of the said Lots of Ground and the Improvements thereon to the best Advantage, provided a Sum not less than £. 1500 Sterling could be got for the same, and the Money arising from such Sale to be disposed of as directed in said Will; and thereof appointed *William Hemstley* and *Peregrine Tilghman* his Executors, who renounced the said Trust, and Letters of Administration with the said Will thereto annexed hath been granted to *Reuben Merriweather*, one of the said Petitioners, who since the Death of the said *John Morton Jordan* hath paid the Purchase Money for the said Lots and Houses to *Daniel Wolstenholme* aforesaid, and taken a Conveyance of the same to *John Nesbitt Jordan*, the Son and Heir at Law of the Testator, a Minor, under the Age of Twenty-one Years, now residing with his Mother in *London* in *Great Britain*, who soon after the Death of her said Husband *John Morton Jordan* left this Province, and on or about the 19th Day of *December*, 1772, was by the Lord Chancellor of *Great Britain* appointed Guardian to her said Son.

It further appears to your Committee, that the said *Dorothy Jordan*, the Widow of *John Morton Jordan* and Guardian aforesaid, hath by a Power of Attorney, bearing Date the 30th Day of *December*, 1772, empowered and appointed *William Bernard*, one of the Petitioners aforesaid, and a certain *Thomas Fett*, jointly and severally, for her and in her Name, in all Things relative to the said Guardianship in *America*, to act in her Behalf.

All which is humbly submitted to the Consideration of the honourable House.

Signed by Order,

JOHN COURTS JONES, Cl. Com.

Which was read, and Leave given to bring in a Bill pursuant to the Prayer of *Reuben Merriweather* and *William Bernard*.

Mr. *Deye* brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE appointed to examine into the Facts set forth in the Petition of *James Hendricks*, and report the same to the House.

YOUR Committee, in Consequence of the Order of the House, proceeded to examine into the Facts contained in said Petition, and do humbly report to the House as follows:

That it appears to your Committee, that on the First Day of *August*, Anno Domini Seventeen Hundred and Fifty-eight, a Contract was made by the said *James Hendricks* and *Peter Harman*, that in Consideration of the said *James Hendricks* paying him the said *Peter Harman*, his Executors, &c. the Sum of £. 200 Current Money, the said *Peter* covenanted to convey to the said *James*, his Heirs and Assigns, the Two following Tracts or Parcels of Land, both situate in *Baltimore County*, viz. *Winchester's Lot*, containing 50 Acres, and Part of a Tract called *McGill's Choice*, containing 116 Acres; and for the Performance of said Contract Bonds passed between the said *James* and the said *Peter*.

It also appears, that the said *Peter Harman* died before executing any Conveyance of the said Lands, and without Heirs, having made his Will, and devised his personal Estate to his Wife, and appointed her and a certain *John Stilewaggon* Executors.

It further appears, that the said *James Hendricks* paid and satisfied the Consideration Money to the Executors agreeable to the Contract.

And it also appears, that the said *James Hendricks* hath given publick Notice of his Intention of applying to the General Assembly for an Act to confirm his Title of, in and to the Two Parcels of Lands aforesaid.

All which is humbly submitted to the Consideration of the honourable House.

Signed per Order,

THO. MADDUX. Cl. Com.

Which was read, and Leave given to *James Hendricks* to bring in a Bill pursuant to the Prayer of his Petition.

Mr. Chaille and Mr. Waters have Leave of Absence.

The Bill for the better regulating Attachments, and the ingrossed Bills, No. 9, 10, with the Paper Bills thereof, were sent to the Upper House by Mr. Wilson and Mr. Parran.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bills, No. 9, 10, severally indorsed; "By the Upper House of Assembly, June 30, 1773: The ingrossed Bill, whereof this is the original, read and assented to.

Signed by Order,

U. SCOTT, Cl. Up. Ho."

A Bill, entitled, *An Act confirming to James Hendricks of Baltimore County sundry Lands therein mentioned.* And, A Bill, entitled, *An Act to empower Thomas Jett and William Bernard to sell and dispose of the Lands therein mentioned,* pursuant to the Directions of the last Will and Testament of *John Morton Jordan* deceased, were severally read the First Time and ordered to lie on the Table.

The House adjourns till To-morrow Morning 9 o'Clock.

THURSDAY, July 1, 1773.

THE House met. All Members present as on Yesterday, except Mr. Maxwell, Mr. Paca, Mr. Ringgold, Mr. Wilson, Mr. Waters, and Mr. Chaille. The Proceedings of Yesterday were read.

The Petition of *Philip Love* was read a Second Time, and referred for Consideration on the Second Friday in next Session of Assembly.

The Bill, entitled, *An Act for amending the Staple of Tobacco and for preventing Frauds in his Majesty's Customs,* was read the Second Time, and the Question was put that the said Bill do pass? Resolved in the Affirmative.

The said Bill was sent to the Upper House by Mr. Johnson, Mr. Beall, Mr. Turbutt Wright, and Mr. Thomas.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met. Mr. Contee appeared in the House.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Sale of the capital Bank Stock belonging to this Province; and that Mr. Johnson, Mr. Chase, Mr. J. Hall, Mr. Sim, Mr. Beall, Mr. Thomas, Mr. Contee, and Mr. Barnes, do prepare and bring in the same.

A Petition of *Reuben Merriweather*, Administrator with the Will annexed of *John Morton Jordan*, Esq; late of the City of Annapolis, deceased, was read.

ORDERED, That Mr. Bernard and Mr. Jett, the Petitioners for a Bill to empower them to dispose of the Houses and Lots in Annapolis; as also Mr. Merriweather, the Petitioner against the Passage of the Bill, be heard at the Bar of this House by Council.

The Bill, entitled, *An Act to empower Thomas Jett and William Bernard, or either of them, to sell and dispose of the Lands therein mentioned, pursuant to the Directions of the last Will and Testament of John Morton Jordan, deceased;* and the Bill, entitled, *An Act confirming to James Hendricks of Baltimore County sundry Lands therein mentioned,* were severally read the Second Time by an special Order, passed, and sent to the Upper House by Mr. Deye and Mr. Ward.

ORDERED, That the several Papers from the Speaker of the House of Burgesses of Virginia and those from Rhode Island be taken into Consideration To-morrow Morning.

The House adjourns till To-morrow Morning 9 o'Clock.

FRIDAY, July 2, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to empower Thomas Jett and William Bernard, or either of them, to sell and dispose of the Lands therein mentioned, pursuant to the Directions of the last Will and Testament of John Morton Jordan, deceased;*

26 VOTES AND PROCEEDINGS, JUNE 1773.

deceased; and the Bill, entitled, *An Act confirming to James Hendricks of Baltimore County sundry Lands therein mentioned, severally indorced*; "By the Upper House of Assembly, July 1, 1773: Read the First and Second Time by an especial Order, and will pass."

"Signed by Order,"

U. SCOTT, Cl. Up. Ho."

Which were severally read here and passed for ingrossing.

Mr. Thomas brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Sale of the capital Bank Stock belonging to this Province*. Which was read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. Johnson and Mr. Smallwood.

The Bill, entitled, *An Act to enable the Representatives of deceased Treasurers to pay over the Balances in their Hands*, was read the Second Time, passed, and sent to the Upper House by Mr. Contee and Mr. Robins.

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for amending the Staple of Tobacco and for preventing Frauds in his Majesty's Customs*, thus indorced; "By the Upper House of Assembly, July 1, 1773: Read the First Time and ordered to lie on the Table."

"Signed by Order,"

U. SCOTT, Cl. Up. Ho."

"By the Upper House of Assembly, July 2, 1773: Read the Second Time, and will not pass."

"Signed by Order,"

U. SCOTT, Cl. Up. Ho."

And the Bill, entitled, *An Act for the better regulating of Attachments*, thus indorced; "By the Upper House of Assembly, June 30, 1773: Read the First Time and ordered to lie on the Table."

"Signed by Order,"

U. SCOTT, Cl. Up. Ho."

"By the Upper House of Assembly, July 2, 1773: Read the Second Time and will pass."

"Signed by Order,"

U. SCOTT, Cl. Up. Ho."

The Message brought from the Upper House on the 26th June by George Stewart, Esq; accompanying the Clergy Bill, &c. was read a Second Time.

ORDERED, That Mr. J. Hall, Mr. Chase, and Mr. Johnson, do prepare a Message to the Upper House in Answer thereto.

George Stewart, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to enable the Representatives of deceased Treasurers to pay over the Balances in their Hands*, thus indorced, "By the Upper House of Assembly, July 2, 1773: Read the First and Second Time by an especial Order and will pass."

"Signed by Order,"

U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

The House adjourns till 3 o'Clock.

P O S T M E R I D I E M.

The House met.

The House proceeded to tax the following private Bills.

An Act for the Relief of John McClure and others.

To the Hon. Speaker

To the Clerk

£. 3 0 0

1 10 0

An Act to explain an Act relating to Leases by the Rector, Vestrymen and Churchwardens of St. Anne's Parish.

To the Hon. Speaker

To the Clerk

£. 5 0 0

2 10 0

An Act to empower Thomas Jett and William Bernard, or either of them, to sell and dispose of the Lands therein mentioned, pursuant to the Directions of the last Will and Testament of John Morton Jordan, deceased.

To the Hon. Speaker

To the Clerk

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An Act confirming to James Hendricks of Baltimore County sundry Lands therein mentioned.

To the Hon. Speaker

To the Clerk

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The ingrossed Bills, No. 11, 12, 13, 14, 15, were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by Mr. Watson and Mr. Sudler.

On Motion, ORDERED, That the Report brought in by Mr. Tyler the 24th June be read; and it was read accordingly.

ORDERED, That the several Letters accompanying the said Report be read; and they were read accordingly.

ORDERED, That the Serjeant at Arms attending this House do acquaint Mr. Ghiselin, that the House desires his Attendance.—Mr. Ghiselin accordingly attended, and after being asked some Questions respecting his Letter to the Gentlemen appointed a Committee to inspect the publick Offices, the House discharged him from any further Attendance.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bills, No. 11, 12, 13, 14, 15, severally indorced; "By the Upper House of Assembly, July 2, 1773: The ingrossed Bill whereof this is the original read and assented to."

"Signed by Order,"

U. SCOTT, Cl. Up. Ho."

On

Mr. Robins, Mr. Holland, and Mr. Purnell, have Leave of Absence.

On Motion, *Resolved unanimously*, That this House is constitutionally invested with a Power to commit to the publick Jail, by Way of Punishment, any Person for Breach of Privilege or Contempt, there to remain till discharged by Order of this House.

Resolved, *Namque contradicendum*, That this House, as the grand Inquest of the Province, has an unquestionable Authority, founded on Precedent and long uninterrupted Usage, to hear and enquire into all Complaints and Grievances; and, as incidental to that Authority, has constitutionally a Power to commit any Person, for any Crime whatsoever, to the publick Jail, there to remain till he be discharged by due Course of Law.

ORDERED, That the following be entered as the Resolves of this House.

Resolved unanimously, That the Representatives of the Freemen of this Province have the sole Right, with the Assent of the other Part of the Legislature, to impose and establish Taxes or Fees, and that the imposing, establishing or collecting any Taxes or Fees, on or from the Inhabitants of this Province, under Colour or Pretence of any Proclamation issued by, or in the Name of the Lord Proprietary, or other Authority, is arbitrary, unconstitutional and oppressive.

Resolved unanimously, That in all Cases where no Fees are established by Law for Services done by officers, the Power of ascertaining the Quantum of the Reward for such Services is constitutionally in a Jury upon the action of the Party.

Resolved unanimously, That the Proclamation issued in the Name of his Excellency Robert Eden, the Governor, with the Advice of his Lordship's Council of State, on the 26th Day of November, 1770, was illegal, arbitrary, unconstitutional and oppressive.

Resolved unanimously, That the Paper Writing under the great Seal of this Province, issued in the Name of the late Lord Proprietary, on the 24th Day of November, 1770, was illegal, arbitrary, unconstitutional and oppressive.

Resolved unanimously, That the Advisers of the said Proclamations were Enemies to the Peace, Welfare and Happiness of this Province, and the Laws and Constitution thereof.

The House adjourns till To-morrow Morning 9 o'Clock.

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S A T U R D A Y, July 3, 1773.

THE House met. All Members present as on Yesterday, except Mr. Purnell, Mr. Robins, Mr. Holland, and Mr. Richardson. Mr. Hagar appeared in the House.

ORDERED, That the last Resolves of Yesterday be printed in the next Week's *Maryland Gazette*, and continued therein Six Weeks successively.

Daniel of St. Thomas Jenifer, and *George Plater*, Esquires, from the Upper House, acquaint Mr. Speaker, that the Governor desires the Attendance of this House immediately in the Upper House, to see the Laws passed.

The Proceedings of Yesterday were read.

Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Upper House, and there presented to his Excellency the following ingrossed Bills, viz.

- No. 1. An Act concerning Estates Tail and the Jurisdiction of the County Courts.
- No. 2. An Act to continue the Acts of Assembly therein mentioned.
- No. 3. An Act reviving and continuing an Act, entitled, *An Act for amending and repairing the Publick Roads in Baltimore County.*
- No. 4. An Act for the Enlargement of *Baltimore-Town.*
- No. 5. An Act to prevent counterfeiting the Paper Money of other Colonies.
- No. 6. An Act to enable the Commissioners for emitting Bills of Credit to provide Stationary for the Use of the Upper and Lower Houses of Assembly.
- No. 7. An Act to continue the Acts therein mentioned.
- No. 8. An Act for the Relief of *John McClure* and others.
- No. 9. An Act to explain an Act relating to Leases by the Rector, Vestrymen and Churchwardens of *Saint Anne's Parish.*
- No. 10. An Act for the Relief of the Poor in *Frederick County.*
- No. 11. An Act to empower *Thomas Jett* and *William Bernard*, or either of them, to sell and dispose of the Lands therein mentioned, pursuant to the Directions of the last Will and Testament of *John Morton Jordan*, deceased.
- No. 12. An Act confirming to *James Hendricks* of *Baltimore County*, sundry Lands therein mentioned.
- No. 13. An Act for the Relief of certain Prisoners in the several Jails therein mentioned.
- No. 14. An Act for the better regulating Attachments.
- No. 15. An Act to enable the Representatives of deceased Treasurers to pay over the Balances in their Hands.

All which, except No. 9, his Excellency passed into Laws in the usual Manner, and made the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly,

IT gives me Pleasure to think that the Province will reap great Advantages from the Acts passed this Meeting.

The Absence of so many Members, and the little Prospect of any further Benefits accruing from a Continuance of the Session, at this Season, lay me under the Necessity of proroguing this Assembly.

By

